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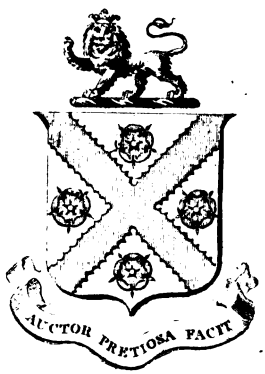

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ON THE FIRST OF DECEMBER, 1783,

UPON THE QUESTION FOR THE

SPEAKER's LEAVING THE CHAIR,

IN ORDER FOR

THE HOUSE TO RESOLVE ITSELF INTO A COMMITTEE,

ON

MR. FOX's

EAST-INDIA BILL.

SPEECH, &c.

MR. SPEAKER,

I THANK you for pointing to me. I really wished much to engage your attention in an early stage of the debate. I have been long very deeply, though perhaps ineffectually, engaged in the preliminary enquiries, which have continued without intermission for some years. Though I have felt, with some degree of sensibility, the natural and inevitable impressions of the several matters of fact, as they have been successively disclosed, I have not at any time attempted to trouble you on the merits of the subject; and very little on any of the points which incidentally arose in the course of our proceedings. But I should be sorry to be found totally silent upon this day. Our enquiries are now come to their final issue:—It is now to be determined whether the three years of laborious parliamentary research, whether the twenty years of patient Indian suffering, are to produce a substantial reform in our eastern administration; or whether our knowledge of the grievances has abated our zeal for the correction

of them, and our very enquiry into the evil was only a pretext to elude the remedy which is demanded from us by humanity, by justice, and by every principle of true policy. Depend upon it, this business cannot be indifferent to our fame. It will turn out a matter of great disgrace or great glory to the whole British nation. We are on a conspicuous stage, and the world marks our demeanour.

I am therefore a little concerned to perceive the spirit and temper in which the debate has been all along pursued upon one side of the house. The declamation of the gentlemen who oppose the bill has been abundant and vehement; but they have been reserved and even silent about the fitness or unfitness of the plan to attain the direct object it has in view. By some gentlemen it is taken up (by way of exercise I presume) as a point of law on a question of private property, and corporate franchise: by others it is regarded as the petty intrigue of a faction at court, and argued merely as it tends to set this man a little higher, or that a little lower in situation and power. All the void has been filled up with invectives against coalition; with allusions to the loss of America; with the activity and inactivity of ministers. The total silence of these gentlemen concerning the interest and well-being of the people of India, and concerning the interest which this nation has in the com-

merce

merce and revenues of that country, is a strong indication of the value which they set upon these objects.

It has been a little painful to me to observe the intrusion into this important debate of such company as *quo warranto*, and *mandamus*, and *certiorari*; as if we were on a trial about mayors and aldermen, and capital burgesses; or engaged in a suit concerning the borough of Penryn, or Saltash, or St. Ives, or St. Mawes. Gentlemen have argued with as much heat and passion, as if the first things in the world were at stake; and their topicks are such, as belong only to matter of the lowest and meanest litigation. It is not right, it is not worthy of us, in this manner to depreciate the value, to degrade the majesty, of this grave deliberation of policy and empire.

For my part, I have thought myself bound, when a matter of this extraordinary weight came before me, not to consider (as some gentlemen are so fond of doing) whether the bill originated from a secretary of state for the home department, or from a secretary for the foreign, from a minister of influence or a minister of the people; from Jacob or from Esau*. I asked myself, and I asked myself nothing else, what part it was fit for a member of parliament, who has supplied a medio-

* An allusion made by Mr. Powis.

crity

crity of talents by the extreme of diligence, and who has thought himself obliged, by the research of years, to wind himself into the inmost recesses and labyrinths of the Indian detail, what part, I say, it became such a member of parliament to take, when a minister of state, in conformity to a recommendation from the throne, has brought before us a system for the better government of the territory and commerce of the east. In this light, and in this only, I will trouble you with my sentiments.

It is not only agreed but demanded, by the right honourable gentleman*, and by those who act with him, that a *whole* system ought to be produced; that it ought not to be an *half measure;* that it ought to be no *palliative;* but a legislative provision, vigorous, substantial, and effective.—I believe that no man who understands the subject can doubt for a moment, that those must be the conditions of any thing deserving the name of a reform in the Indian government; that any thing short of them would not only be delusive, but, in this matter which admits no medium, noxious in the extreme.

To all the conditions proposed by his adversaries the mover of the bill perfectly agrees; and on his performance of them he rests his cause. On the

* Mr. Pitt.

other

other hand, not the least objection has been taken, with regard to the efficiency, the vigour, or the completeness of the scheme. I am therefore warranted to assume, as a thing admitted, that the bills accomplish what both sides of the house demand as essential. The end is completely answered, so far as the direct and immediate object is concerned.

But though there are no direct, yet there are various collateral objections made; objections from the effects which this plan of reform for Indian administration may have on the privileges of great publick bodies in England; from its probable influence on the constitutional rights, or on the freedom and integrity of the several branches of the legislature.

Before I answer these objections, I must beg leave to observe, that if we are not able to contrive some method of governing India *well*, which will not of necessity become the means of governing Great Britain *ill*, a ground is laid for their eternal separation; but none for sacrificing the people of that country to our constitution. I am however far from being persuaded that any such incompatibility of interest does at all exist. On the contrary I am certain that every means, effectual to preserve India from oppression, is a guard to preserve the British constitution from its worst corruption.

ruption. To shew this, I will consider the objections, which I think are four.

1st. That the bill is an attack on the chartered rights of men.

2dly. That it increases the influence of the crown.

3dly. That it does *not* increase, but diminishes, the influence of the crown, in order to promote the interests of certain ministers and their party.

4thly. That it deeply affects the national credit.

As to the first of these objections; I must observe that the phrase of "the chartered rights *of* "*men*," is full of affectation; and very unusual in the discussion of privileges conferred by charters of the present description. But it is not difficult to discover what end that ambiguous mode of expression, so often reiterated, is meant to answer.

The rights of *men*, that is to say, the natural rights of mankind, are indeed sacred things; and if any publick measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are further affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power, and authority, by written instruments and positive engagements, they are in a still

better

better condition: they partake not only of the sanctity of the object so secured, but of that solemn publick faith itself, which secures an object of such importance. Indeed this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding radical principles of government, and even of society itself. The charters, which we call by distinction *great*, are publick instruments of this nature; I mean the charters of king John and king Henry the third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called the *chartered rights of men.*

These charters have made the very name of a charter dear to the heart of every Englishman.—But, Sir, there may be, and there are charters, not only different in nature, but formed on principles the *very reverse* of those of the great charter. Of this kind is the charter of the East-India company. *Magna charta* is a charter to restrain power, and to destroy monopoly. The East-India charter is a charter to establish monopoly, and to create power. Political power and commercial monopoly are *not* the rights of men; and the rights of them derived from charters, it is fallacious and sophistical to call "the chartered rights of men." These chartered rights, (to speak of such charters and of their effects in terms of the greatest possible moderation) do

do at least suspend the natural rights of mankind at large; and in their very frame and constitution are liable to fall into a direct violation of them.

It is a charter of this latter description (that is to say a charter of power and monopoly) which is affected by the bill before you. The bill, Sir, does, without question, affect it; it does affect it essentially and substantially. But having stated to you of what description the chartered rights are which this bill touches, I feel no difficulty at all in acknowledging the existence of those chartered rights, in their fullest extent. They belong to the company in the surest manner; and they are secured to that body by every sort of publick sanction. They are stamped by the faith of the king; they are stamped by the faith of parliament; they have been bought for money, for money honestly and fairly paid; they have been bought for valuable consideration, over and over again.

I therefore freely admit to the East-India company their claim to exclude their fellow-subjects from the commerce of half the globe. I admit their claim to administer an annual territorial revenue of seven millions sterling; to command an army of sixty thousand men; and to dispose, (under the controul of a sovereign imperial discretion, and with the due observance of the natural and local law) of the lives and fortunes of thirty millions of their fellow-creatures. All this they

they possess by charter and by acts of parliament, (in my opinion) without a shadow of controversy.

Those who carry the rights and claims of the company the furthest do not contend for more than this; and all this I freely grant. But granting all this, they must grant to me in my turn, that all political power which is set over men, and that all privilege claimed or exercised in exclusion of them, being wholly artificial, and for so much a derogation from the natural equality of mankind at large, ought to be some way or other exercised ultimately for their benefit.

If this is true with regard to every species of political dominion, and every description of commercial privilege, none of which can be original self-derived rights, or grants for the mere private benefit of the holders, then such rights, or privileges, or whatever else you choose to call them, are all in the strictest sense a *trust;* and it is of the very essence of every trust to be rendered *accountable;* and even totally to *cease*, when it substantially varies from the purposes for which alone it could have a lawful existence.

This I conceive, Sir, to be true of trusts of power vested in the highest hands, and of such as seem to hold of no human creature. But about the application of this principle to subordinate *derivative* trusts, I do not see how a controversy can be maintained. To whom then would I make the

East-India company accountable? Why, to parliament, to be sure; to parliament, from whom their trust was derived; to parliament, which alone is capable of comprehending the magnitude of its object, and its abuse; and alone capable of an effectual legislative remedy. The very charter, which is held out to exclude parliament from correcting malversation with regard to the high trust vested in the company, is the very thing which at once gives a title and imposes on us a duty to interfere with effect, wherever power and authority originating from ourselves are perverted from their purposes, and become instruments of wrong and violence.

If parliament, Sir, had nothing to do with this charter, we might have some sort of Epicurean excuse to stand aloof, indifferent spectators of what passes in the company's name in India and in London. But if we are the very cause of the evil, we are in a special manner engaged to the redress; and for us passively to bear with oppressions committed under the sanction of our own authority, is in truth and reason for this house to be an active accomplice in the abuse.

That the power notoriously, grossly abused has been bought from us is very certain. But this circumstance, which is urged against the bill, becomes an additional motive for our interference; lest we should be thought to have sold the blood

of

of millions of men, for the base consideration of money. We sold, I admit, all that we had to sell; that is, our authority, not our controul. We had not a right to make a market of our duties.

I ground myself therefore on this principle—that if the abuse is proved, the contract is broken; and we re-enter into all our rights; that is, into the exercise of all our duties: Our own authority is indeed as much a trust originally, as the company's authority is a trust derivatively; and it is the use we make of the resumed power that must justify or condemn us in the resumption of it. When we have perfected the plan laid before us by the right honourable mover, the world will then see what it is we destroy, and what it is we create. By that test we stand or fall; and by that test I trust that it will be found in the issue, that we are going to supersede a charter abused to the full extent of all the powers which it could abuse, and exercised in the plenitude of despotism, tyranny and corruption; and that in one and the same plan, we provide a real chartered security for the *rights of men* cruelly violated under that charter.

This bill, and those connected with it, are intended to form the *magna charta* of Hindostan. Whatever the treaty of Westphalia is to the liberty of the princes and free cities of the empire, and

to

to the three religions there professed—Whatever the great charter, the statute of tallege, the petition of right, and the declaration of right, are to Great Britain, these bills are to the people of India. Of this benefit, I am certain, their condition is capable; and when I know that they are capable of more, my vote shall most assuredly be for our giving to the full extent of their capacity of receiving; and no charter of dominion shall stand as a bar in my way to their charter of safety and protection.

The strong admission I have made of the company's rights (I am conscious of it) binds me to do a great deal. I do not presume to condemn those who argue *a priori*, against the propriety of leaving such extensive political powers in the hands of a company of merchants. I know much is, and much more may be, said against such a system. But, with my particular ideas and sentiments, I cannot go that way to work. I feel an insuperable reluctance in giving my hand to destroy any established institution of government, upon a theory, however plausible it may be. My experience in life teaches me nothing clear upon the subject. I have known merchants with the sentiments and the abilities of great statesmen; and I have seen persons in the rank of statesmen, with the conceptions and characters of pedlars. Indeed, my observation has furnished me with nothing that is

to

to be found in any habits of life or education, which tends wholly to disqualify men for the functions of government, but that, by which the power of exercising those functions is very frequently obtained, I mean a spirit and habits of low cabal and intrigue; which I have never, in one instance, seen united with a capacity for sound and manly policy.

To justify us in taking the administration of their affairs out of the hands of the East-India company, on my principles, I must see several conditions. 1st. The object affected by the abuse should be great and important. 2d. The abuse affecting this great object ought to be a great abuse. 3d. It ought to be habitual, and not accidental. 4th. It ought to be utterly incurable in the body as it now stands constituted. All this ought to be made as visible to me as the light of the sun, before I should strike off an atom of their charter. A right honourable gentleman * has said, and said I think but once, and that very slightly (whatever his original demand for a plan might seem to require) that "there are abuses in the company's "government." If that were all, the scheme of the mover of this bill, the scheme of his learned friend, and his own scheme of reformation (if he has any) are all equally needless. There are, and must be, abuses in all governments. It amounts

* Mr. Pitt.

to

to no more than a nugatory proposition. But before I consider of what nature these abuses are, of which the gentleman speaks so very lightly, permit me to recall to your recollection the map of the country which this abused chartered right affects. This I shall do, that you may judge whether in that map I can discover any think like the first of my conditions; that is, Whether the object affected by the abuse of the East-India company's power be of importance sufficiently to justify the measure and means of reform applied to it in this bill.

With very few, and those inconsiderable intervals, the British dominion, either in the company's name, or in the names of princes absolutely dependent upon the company, extends from the mountains that separate India from Tartary, to cape Comorin, that is, one-and-twenty degrees of latitude!

In the northern parts it is a solid mass of land, about eight hundred miles in length, and four or five hundred broad. As you go southward, it becomes narrower for a space. It afterwards dilates; but narrower or broader, you possess the whole eastern and north-eastern coast of that vast country, quite from the borders of Pegu.—Bengal, Bahar, and Orissa, with Benares, (now unfortunately in our immediate possession) measure 161,978 square English miles; a territory considerably

siderably larger than the whole kingdom of France. Oude, with its dependent provinces, is 53,286 square miles, not a great deal less than England. The Carnatick, with Tanjore and the Circars, is 65,948 square miles, very considerably larger than England; and the whole of the company's dominions, comprehending Bombay and Salsette, amounts to 281,412 square miles; which forms a territory larger than any European dominion, Russia and Turkey excepted. Through all that vast extent of country there is not a man who eats a mouthful of rice but by permission of the East-India company.

So far with regard to the extent. The population of this great empire is not easy to be calculated. When the countries, of which it is composed, came into our possession, they were all eminently peopled, and eminently productive; though at that time considerably declined from their ancient prosperity. But since they are come into our hands!——! However, if we make the period of our estimate immediately before the utter desolation of the Carnatick, and if we allow for the havock which our government had even then made in these regions, we cannot, in my opinion, rate the population at much less than thirty millions of souls; more than four times the number of persons in the island of Great Britain.

My next inquiry to that of the number, is the

quality and description of the inhabitants. This multitude of men does not consist of an abject and barbarous populace; much less of gangs of savages, like the Guaranies and Chiquitos, who wander on the waste borders of the river of Amazons, or the Plate; but a people for ages civilized and cultivated; cultivated by all the arts of polished life, whilst we were yet in the woods. There, have been (and still the skeletons remain) princes once of great dignity, authority, and opulence. There, are to be found the chiefs of tribes and nations. There, is to be found an ancient and venerable priesthood, the depository of their laws, learning, and history, the guides of the people whilst living, and their consolation in death; a nobility of great antiquity and renown; a multitude of cities, not exceeded in population and trade by those of the first class in Europe; merchants and bankers, individual houses of whom have once vied in capital with the bank of England; whose credit had often supported a tottering state, and preserved their governments in the midst of war and desolation; millions of ingenious manufacturers and mechanicks; millions of the most diligent, and not the least intelligent, tillers of the earth. Here are to be found almost all the religions professed by men, the Braminical, the Mussulman, the Eastern and the Western Christian.

If

If I were to take the whole aggregate of our possessions there, I should compare it, as the nearest parallel I can find, with the empire of Germany. Our immediate possessions I should compare with the Austrian dominions, and they would not suffer in the comparison. The nabob of Oude might stand for the king of Prussia; the nabob of Arcot I would compare, as superiour in territory, and equal in revenue, to the elector of Saxony. Cheyt Sing, the rajah of Benares, might well rank with the prince of Hesse, at least; and the rajah of Tanjore (though hardly equal in extent of dominion, superiour in revenue) to the elector of Bavaria. The Polygars and the northern Zemindars, and other great chiefs, might well class with the rest of the princes, dukes, counts, marquisses, and bishops in the empire; all of whom I mention to honour, and surely without disparagement to any or all of those most respectable princes and grandees.

All this vast mass, composed of so many orders and classes of men, is again infinitely diversified by manners, by religion, by hereditary employment, through all their possible combinations. This renders the handling of India a matter in a high degree critical and delicate. But oh! it has been handled rudely indeed. Even some of the reformers seem to have forgot that they had any

thing to do but to regulate the tenants of a manor, or the shopkeepers of the next county town.

It is an empire of this extent, of this complicated nature, of this dignity and importance, that I have compared to Germany, and the German government! not for an exact resemblance, but as a sort of a middle term, by which India might be approximated to our understandings, and if possible to our feelings; in order to awaken something of sympathy for the unfortunate natives, of which I am afraid we are not perfectly susceptible, whilst we look at this very remote object through a false and cloudy medium.

My second condition, necessary to justify me in touching the charter, is, Whether the company's abuse of their trust, with regard to this great object, be an abuse of great atrocity. I shall beg your permission to consider their conduct in two lights; first the political, and then the commercial. Their political conduct (for distinctness) I divide again into two heads; the external, in which I mean to comprehend their conduct in their federal capacity, as it relates to powers and states independent, or that not long since were such; the other internal, namely their conduct to the countries either immediately subject to the company, or to those who, under the apparent government of native sovereigns, are in a state much

much lower, and much more miserable, than common subjection.

The attention, Sir, which I wish to preserve to method will not be considered as unnecessary or affected. Nothing else can help me to selection out of the infinite mass of materials which have passed under my eye; or can keep my mind steady to the great leading points I have in view.

With regard therefore to the abuse of the external federal trust, I engage myself to you to make good these three positions:—First, I say, that from mount Imaus, (or whatever else you call that large range of mountains that walls the northern frontier of India) where it touches us in the latitude of twenty-nine, to Cape Comorin, in the latitude of eight, that there is not a *single* prince, state, or potentate, great or small, in India, with whom they have come into contact, whom they have not sold. I say *sold*, though sometimes they have not been able to deliver according to their bargain.—Secondly, I say, that there is not a *single treaty* they have ever made, which they have not broken.—Thirdly, I say, that there is not a single prince or state, who ever put any trust in the company, who is not utterly ruined; and that none are in any degree secure or flourishing, but in the exact proportion to their settled distrust and irreconcilable enmity to this nation.

These

These assertions are universal. I say in the full sense *universal.* They regard the external and political trust only; but I shall produce others fully equivalent in the internal. For the present, I shall content myself with explaining my meaning; and if I am called on for proof whilst these bills are depending (which I believe I shall not) I will put my finger on the appendixes to the reports, or on papers of record in the house, or the committees, which I have distinctly present to my memory, and which I think I can lay before you at half an hour's warning.

The first potentate sold by the company for money, was the Great Mogul—the descendant of Tamerlane. This high personage, as high as human veneration can look at, is by every account amiable in his manners, respectable for his piety according to his mode, and accomplished in all the Oriental literature. All this, and the title derived under his *charter*, to all that we hold in India, could not save him from the general *sale.* Money is coined in his name; in his name justice is administered; he is prayed for in every temple through the countries we possess—But he was sold.

It is impossible, Mr. Speaker, not to pause here for a moment, to reflect on the inconstancy of human greatness, and the stupendous revolutions that have happened in our age of wonders. Could it be believed when I entered into existence, or

when you, a younger man, were born, that on this day, in this house, we should be employed in discussing the conduct of those British subjects who had disposed of the power and person of the Grand Mogul? This is no idle speculation. Awful lessons are taught by it, and by other events, of which it is not yet too late to profit.

This is hardly a digression; but I return to the sale of the Mogul. Two districts, Corah, and Allahabad, out of his immense grants, were reserved as a royal demesne to the donor of a kingdom, and the rightful sovereign of so many nations.—After withholding the tribute of 260,000*l.* a year, which the company was, by the *charter* they had received from this prince, under the most solemn obligation to pay, these districts were sold to his chief minister Sujah ul Dowlah; and, what may appear to some the worst part of the transaction, these two districts were sold for scarcely two years purchase. The descendant of Tamerlane now stands in need almost of the common necessaries of life; and in this situation we do not even allow him, as bounty, the smallest portion of what we owe him in justice.

The next sale was that of the whole nation of the Rohillas, which the grand salesman, without a pretence of quarrel, and contrary to his own declared sense of duty and rectitude, sold to the same Sujah ul Dowlah. He sold the people to utter *extirpation,*

tirpation, for the sum of four hundred thousand pounds. Faithfully was the bargain performed on our side. Hafiz Rhamet, the most eminent of their chiefs, one of the bravest men of his time, and as famous throughout the East for the elegance of his literature, and the spirit of his poetical compositions (by which he supported the name of Hafiz) as for his courage, was invaded with an army of an hundred thousand men, and an English brigade. This man, at the head of inferiour forces was slain valiantly fighting for his country. His head was cut off, and delivered for money to a barbarian. His wife and children, persons of that rank, were seen begging an handful of rice through the English camp. The whole nation, with inconsiderable exceptions, was slaughtered or banished. The country was laid waste with fire and sword; and that land, distinguished above most others by the cheerful face of paternal government and protected labour, the chosen seat of cultivation and plenty, is now almost throughout a dreary desart, covered with rushes and briers, and jungles full of wild beasts.

The British officer who commanded in the delivery of the people thus sold, felt some compunction at his employment. He represented these enormous excesses to the president of Bengal, for which he received a severe reprimand from the civil governor; and I much doubt whether the breach caused

caused by the conflict, between the compassion of the military and the firmness of the civil governour, be closed at this hour.

In Bengal, Seraja Dowlah was sold to Mir Jaffier; Mir Jaffier was sold to Mir Cossim; and Mir Cossim was sold to Mir Jaffier again. The succession to Mir Jaffier was sold to his eldest son;—another son of Mir Jaffier, Mobarech ul Dowlah, was sold to his step-mother—The Maratta empire was sold to Rogabo; and Rogabo was sold and delivered to the Peishwa of the Marattas. Both Rogabo and the Peishwa of the Marattas were offered to sale to the rajah of Berar. Scindia, the chief of Malva, was offered to sale to the same rajah; and the Subah of the Decan was sold to the great trader Mahomet Ali, nabob of Arcot. To the same nabob of Arcot they sold Hyder Ali and the kingdom of Mysore. To Mahomet Ali they twice sold the kingdom of Tanjore. To the same Mahomet Ali they sold at least twelve sovereign princes, called the Polygars. But to keep things even, the territory of Tinnivelly, belonging to their nabob, they would have sold to the Dutch; and to conclude the account of sales, their great customer, the nabob of Arcot himself, and his lawful succession, has been sold to his second son, Amir ul Omrah, whose character, views, and conduct, are in the accounts upon your table. It remains with you whether they shall finally perfect this last bargain.

All

All these bargains and sales were regularly attended with the waste and havock of the country, always by the buyer, and sometimes by the object of the sale. This was explained to you by the honourable mover, when he stated the mode of paying debts due from the country powers to the company. An honourable gentleman, who is not now in his place, objected to his jumping near two thousand miles for an example. But the southern example is perfectly applicable to the northern claim, as the northern is to the southern; for, throughout the whole space of these two thousand miles, take your stand where you will, the proceeding is perfectly uniform, and what is done in one part will apply exactly to the other.

My second assertion is, that the company never has made a treaty which they have not broken. This position is so connected with that of the sales of provinces and kingdoms, with the negotiation of universal distraction in every part of India, that a very minute detail may well be spared on this point. It has not yet been contended, by any enemy to the reform, that they have observed any publick agreement. When I hear that they have done so in any one instance (which hitherto, I confess, I never heard alleged) I shall speak to the particular treaty. The governour general has even amused himself and the court of directors in a very singular letter to that board, in which he admits he

has

has not been very delicate with regard to publick faith; and he goes so far as to state a regular estimate of the sums which the company would have lost, or never acquired, if the rigid ideas of publick faith entertained by his colleagues had been observed. * The learned gentleman over against me has indeed saved me much trouble. On a former occasion he obtained no small credit, for the clear and forcible manner in which he stated what we have not forgot, and I hope he has not forgot, that universal systematick breach of treaties which had made the British faith proverbial in the East.

It only remains, Sir, for me just to recapitulate some heads.—The treaty with the mogul, by which we stipulated to pay him 260,000l. annually, was broken. This treaty they have broken, and not paid him a shilling. They broke their treaty with him, in which they stipulated to pay 400,000l. a year to the soubah of Bengal. They agreed with the mogul, for services admitted to have been performed, to pay Nudjif Cawn a pension. They broke this article with the rest, and stopped also this small pension. They broke their treaties with the Nizam, and with Hyder Ali. As to the Marattas, they had so many cross treaties with the states general of that nation, and with each of the chiefs, that it was notorious that no one of these agreements could be kept without grossly violat-

* Mr. Dundas, lord Advocate of Scotland.

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ing the rest. It was observed, that if the terms of these several treaties had been kept, two British armies would at one and the same time have met in the field to cut each other's throats. The wars which desolate India, originated from a most atrocious violation of publick faith on our part. In the midst of profound peace, the company's troops invaded the Maratta territories, and surprised the island and fortress of Salsette. The Marattas nevertheless yielded to a treaty of peace, by which solid advantages were procured to the company. But this treaty, like every other treaty, was soon violated by the company. Again the company invaded the Maratta dominions. The disaster that ensued gave occasion to a new treaty. The whole army of the company was obliged in effect, to surrender to this injured, betrayed, and insulted people. Justly irritated, however, as they were, the terms which they prescribed were reasonable and moderate; and their treatment of their captive invaders of the most distinguished humanity. But the humanity of the Marattas was of no power whatsoever to prevail on the company to attend to the observance of the terms dictated by their moderation. The war was renewed with greater vigour than ever; and such was their insatiable lust of plunder, that they never would have given ear to any terms of peace, if Hyder Ali had not broke through the Gauts, and rushing like a torrent

rent into the Carnatick, swept away every thing in his career. This was in consequence of that confederacy, which by a sort of miracle united the most discordant powers for our destruction, as a nation in which no other could put any trust, and who were the declared enemies of the human species.

It is very remarkable, that the late controversy between the several presidencies, and between them and the court of directors, with relation to these wars and treaties, has not been, which of the parties might be defended for his share in them; but on which of the parties the guilt of all this load of perfidy should be fixed. But I am content to admit all these proceedings to be perfectly regular, to be full of honour and good faith; and wish to fix your attention solely to that single transaction which the advocates of this system select for so transcendent a merit as to cancel the guilt of all the rest of their proceedings; I mean the late treaties with the Marattas.

I make no observation on the total cession of territory, by which they surrendered all they had obtained by their unhappy successes in war, and almost all they had obtained under the treaty of Poorunder. The restitution was proper, if it had been voluntary and seasonable. I attach on the spirit of the treaty, the dispositions it shewed, the provisions

provisions it made for a general peace, and the faith kept with allies and confederates; in order that the house may form a judgment, from this chosen piece, of the use which has been made (and is likely to be made, if things continue in the same hand) of the trust of the federal powers of this country.

It was the wish of almost every Englishman, that the Maratta peace might lead to a general one; because the Maratta war was only a part of a general confederacy formed against us on account of the universal abhorrence of our conduct which prevailed in every state and almost in every house in India. Mr. Hastings was obliged to pretend some sort of acquiescence in this general and rational desire. He therefore consented, in order to satisfy the point of honour of the Marattas, that an article should be inserted to admit Hyder Ali to accede to the pacification. But observe, Sir, the spirit of this man (which if it were not made manifest by a thousand things, and particularly by his proceedings with respect to lord Macartney) would be sufficiently manifest by this—What sort of article think you does he require this essential head of a solemn treaty of general pacification to be? In his instruction to Mr. Anderson, he desires him to admit "a *vague* article" in favour of Hyder. Evasion and fraud were the declared basis of

of the treaty. These *vague* articles intended for a more vague performance, are the things which have damned our reputation in India.

Hardly was this vague article inserted, than, without waiting for any act on the part of Hyder, Mr. Hastings enters into a negotiation with the Maratta chief, Scindia, for a partition of the territories of the prince who was one of the objects to be secured by the treaty. He was to be parcelled out in three parts—one to Scindia; one to the peishwa of the Marattas; and the third to the East India company, or to (the old dealer and chapman) Mahomet Ali.

During the formation of this project, Hyder dies; and before his son could take any one step, either to conform to the tenour of the article, or to contravene it, the treaty of partition is renewed on the old footing, and an instruction is sent to Mr. Anderson to conclude it in form.

A circumstance intervened, during the pendency of this negotiation, to set off the good faith of the company with an additional brilliancy, and to make it sparkle and glow with a variety of splendid faces. General Matthews had reduced that most valuable part of Hyder's dominions called the Country of Biddenore. When the news reached Mr. Hastings he instructed Mr. Anderson to contend for an alteration in the treaty of partition, and to take the Biddenore country out of the common

common stock which was to be divided, and to keep it for the company.

The first ground for this variation was its being a separate conquest made before the treaty had actually taken place. Here was a new proof given of the fairness, equity, and moderation of the company. But the second of Mr. Hasting's reasons for retaining the Biddenore as a separate portion, and his conduct on that second ground, is still more remarkable. He asserted that that country could not be put into the partition stock, because general Matthews had received it on the terms of some convention, which might be incompatible with the partition proposed. This was a reason in itself both honourable and solid; and it shewed a regard to faith somewhere, and with some persons. But in order to demonstrate his utter contempt of the plighted faith which was alleged on one part as a reason for departing from it on another, and to prove his impetuous desire for sowing a new war, even in the prepared soil of a general pacification, he directs Mr. Anderson, if he should find strong difficulties impeding the partition, on the score of the subtraction of Biddenore, wholly to abandon that claim, and to conclude the treaty on the original terms. General Matthews's convention was just brought forward sufficiently to demonstrate to the Marattas the slippery hold which they had on their new confede-

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rate; on the other hand that convention being instantly abandoned, the people of India were taught, that no terms on which they can surrender to the company are to be regarded when farther conquests are in view.

Next, Sir, let me bring before you the pious care that was taken of our allies under that treaty which is the subject of the company's applauses. These allies were Ragonaut Row, for whom we had engaged to find a throne; the Guickwar, (one of the Guzerat princes) who was to be emancipated from the Maratta authority, and to grow great by several accessions of dominion; and lastly, the rana of Gohud, with whom we had entered into a treaty of partition for eleven sixteenths of our joint conquests. Some of these inestimable securities, called *vague* articles, were inserted in favour of them all.

As to the first, the unhappy abdicated peishwa, and pretender to the Maratta throne, Ragonaut Row was delivered up to his people, with an article for safety, and some provision. This man, knowing how little vague the hatred of his countrymen was towards him, and well apprised of what black crimes he stood accused (among which our invasion of his country would not appear the least) took a mortal alarm at the security we had provided for him. He was thunderstruck at the article in his favour, by which he was surrendered

to his enemies. He never had the least notice of the treaty; and it was apprehended that he would fly to the protection of Hyder Aly, or some other, disposed or able to protect him. He was therefore not left without comfort; for Mr. Anderson did him the favour to send a special messenger, desiring him to be of good cheer and to fear nothing. And his old enemy, Scindia, at our request, sent him a message equally well calculated to quiet his apprehensions.

By the same treaty the Guickwar was to come again, with no better security, under the dominion of the Maratta state. As to the rana of Gohud, a long negotiation depended for giving him up. At first this was refused by Mr. Hastings with great indignation; at another stage it was admitted as proper, because he had shewn himself a most perfidious person. But at length a method of reconciling these extremes was found out, by contriving one of the usual articles in his favour. What I believe will appear beyond all belief, Mr. Anderson exchanged the final ratifications of that treaty by which the rana was nominally secured in his possessions, in the camp of the Maratta chief, Scindia, whilst he was (really and not nominally) battering the castle of Gualior, which we had given, agreeably to treaty, to this deluded ally. Scindia had already reduced the town; and was at the very time, by various detachments, reducing,

ing, one after another, the fortresses of our protected ally, as well as in the act of chastising all the rajahs who had assisted colonel Carnac in his invasion. I have seen in a letter from Calcutta, that the rana of Gohud's agent would have represented these hostilities (which went hand in hand with the protecting treaty) to Mr. Hastings; but he was not admitted to his presence.

In this manner the company has acted with their allies in the Maratta war. But they did not rest here: the Marattas were fearful lest the persons delivered to them by that treaty should attempt to escape into the British territories, and thus might elude the punishment intended for them, and by reclaiming the treaty, might stir up new disturbances. To prevent this, they desired an article to be inserted in the supplemental treaty, to which they had the ready consent of Mr. Hastings, and the rest of the company's representatives in Bengal. It was this, "That the English and Maratta "governments mutually agree not to afford re-"fuge to any *chiefs, merchants, or other persons,* "flying for protection to the territories of the "other." This was readily assented to, and assented to without any exception whatever, in favour of our surrendered allies. On their part a reciprocity was stipulated which was not unnatural for a government like the company's to ask; a government conscious that many subjects had been, and

would in future be, driven to fly from its jurisdiction.

To complete the system of pacifick intention and publick faith, which predominate in these treaties, Mr. Hastings fairly resolved to put all peace, except on the terms of absolute conquest, wholly out of his own power. For, by an article in this second treaty with Scindia, he binds the company not to make any peace with Tippo Saheb, without the consent of the peishwa of the Marattas; and binds Scindia to him by a reciprocal engagement. The treaty between France and England obliges us mutually to withdraw our forces, if our allies in India do not accede to the peace within four months; Mr. Hastings's treaty obliges us to continue the war as long as the peishwa thinks fit. We are now in that happy situation, that the breach of the treaty with France, or the violation of that with the Marattas, is inevitable; and we have only to take our choice.

My third assertion, relative to the abuse made of the right of war and peace is, that there are none who have ever confided in us who have not been utterly ruined. The examples I have given of Ragonaut Row, of Guickwar, of the rana of Gohud, are recent. There is proof more than enough in the condition of the mogul; in the slavery and indigence of the nabob of Oude; the exile of the rajah of Benares; the beggary of the nabob

nabob of Bengal; the undone and captive condition of the rajah and kingdom of Tanjore; the destruction of the polygars; and lastly, in the destruction of the nabob of Arcot himself, who, when his dominions were invaded, was found entirely destitute of troops, provisions, stores, and (as he asserts) of money, being a million in debt to the company, and four millions to others: the many millions which he had extorted from so many extirpated princes and their desolated countries having (as he has frequently hinted) been expended for the ground rent of his mansion-house in an alley in the suburbs of Madras. Compare the condition of all these princes with the power and authority of all the Maratta states; with the independence and dignity of the Soubah of the Decan; and the mighty strength, the resources, and the manly struggle of Hyder Ali; and then the house will discover the effects on every power in India, of an easy confidence, or of a rooted distrust in the faith of the company.

These are some of my reasons, grounded on the abuse of the external political trust of that body, for thinking myself not only justified, but bound, to declare against those chartered rights which produce so many wrongs. I should deem myself the wickedest of men, if any vote of mine could contribute to the continuance of so great an evil.

Now, Sir, according to the plan I proposed, I shall

shall take notice of the company's internal government, as it is exercised first on the dependent provinces, and then as it affects those under the direct and immediate authority of that body. And here, Sir, before I enter into the spirit of their interiour government, permit me to observe to you, upon a few of the many lines of difference which are to be found between the vices of the company's government, and those of the conquerors who preceded us in India; that we may be enabled a little the better to see our way in an attempt to the necessary reformation.

The several irruptions of Arabs, Tartars, and Persians, into India were, for the greater part, ferocious, bloody, and wasteful in the extreme: our entrance into the dominion of that country, was, as generally, with small comparative effusion of blood; being introduced by various frauds and delusions, and by taking advantage of the incurable, blind, and senseless animosity, which the several country powers bear towards each other, rather than by open force. But the difference in favour of the first conquerors is this; the Asiatick conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes of their posterity; and children there beheld the monuments of their fathers. Here their lot was

finally

finally cast; and it is the natural wish of all, that their lot should not be cast in a bad land. Poverty, sterility, and desolation, are not a recreating prospect to the eye of man; and there are very few who can bear to grow old among the curses of a whole people. If their passion or their avarice drove the Tartar lords to acts of rapacity or tyranny, there was time enough, even in the short life of man, to bring round the ill effects of an abuse of power upon the power itself. If hoards were made by violence and tyranny, they were still domestick hoards; and domestick profusion, or the rapine of a more powerful and prodigal hand, restored them to the people. With many disorders, and with few political checks upon power, nature had still fair play; the sources of acquisition were not dried up; and therefore the trade, the manufactures, and the commerce of the country flourished. Even avarice and usury itself operated, both for the preservation and the employment of national wealth. The husbandman and manufacturer paid heavy interest, but then they augmented the fund from whence they were again to borrow. Their resources were dearly bought, but they were sure; and the general stock of the community grew by the general effort.

But under the English government all this order is reversed. The Tartar invasion was mischievous; but it is our protection that destroys India. It

was

was their enmity, but it is our friendship. Our conquest there, after twenty years, is as crude as it was the first day. The natives scarcely know what it is to see the grey head of an Englishman. Young men (boys almost) govern there, without society, and without sympathy with the natives. They have no more social habits with the people, than if they still resided in England; nor indeed, any species of intercourse but that which is necessary to making a sudden fortune, with a view to a remote settlement. Animated with all the avarice of age, and all the impetuosity of youth, they roll in one after another; wave after wave; and there is nothing before the eyes of the natives but an endless, hopeless prospect of new flights of birds of prey and passage, with appetites continually renewing for a food that is continually wasting. Every rupee of profit made by an Englishman is lost for ever to India. With us are no retributory superstitions, by which a foundation of charity compensates, through ages, to the poor, for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospitals *, no palaces, no schools; England has built no bridges, made no

* The paltry foundation at Calcutta is scarcely worth naming as an exception.

high

high roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain, to tell that it had been possessed, during the inglorious period of our dominion, by any thing better than the ourang-outang or the tyger.

There is nothing in the boys we send to India worse, than in the boys whom we are whipping at school, or that we see trailing a pike, or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are full grown in fortune long before they are ripe in principle, neither nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The consequences of their conduct, which in good minds, (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight. Their prey is lodged in England; and the cries of India are given to seas and winds, to be blown about, in every breaking up of the monsoon, over a remote and unhearing ocean. In India all the vices operate by which sudden fortune is acquired; in England are often displayed by the same persons, the virtues which dispense hereditary wealth. Arrived

rived in England, the destroyers of the nobility and gentry of a whole kingdom will find the best company in this nation, at a board of elegance and hospitality. Here the manufacturer and husbandman will bless the just and punctual hand that in India has torn the cloth from the loom, or wrested the scanty portion of rice and salt from the peasant of Bengal, or wrung from him the very opium in which he forgot his oppressions and his opressor. They marry into your families; they enter into your senate; they ease your estates by loans; they raise their value by demand; they cherish and protect your relations which lie heavy on your patronage; and there is scarcely an house in the kingdom that does not feel some concern and interest that makes all reform of our eastern government appear officious and disguting; and on the whole, a most discouraging attempt. In such an attempt you hurt those who are able to return kindness, or to resent injury. If you succeed, you save those who cannot so much as give you thanks. All these things shew the difficulty of the work we have on hand: but they shew its necessity too. Our Indian government is in its best state a grievance. It is necessary that the correctives should be uncommonly vigorous; and the work of men, sanguine, warm, and even impassioned in the cause. But it is an arduous thing to plead against abuses of a power which originates from your own country,

country, and affects those whom we are used to consider as strangers.

I shall certainly endeavour to modulate myself to this temper; though I am sensible that a cold style of describing actions which appear to me in a very affecting light is equally contrary to the justice due to the people, and to all genuine human feelings about them. I ask pardon of truth and nature for this compliance. But I shall be very sparing of epithets either to persons or things. It has been said (and, with regard to one of them, with truth) that Tacitus and Machiavel, by their cold way of relating enormous crimes, have in some sort appeared not to disapprove them; that they seem a sort of professors of the art of tyranny, and that they corrupt the minds of their readers, by not expressing the detestation and horrour that naturally belong to horrible and detestable proceedings. But we are in general, Sir, so little acquainted with Indian details; the instruments of oppression under which the people suffer are so hard to be understood; and even the very names of the sufferers are so uncouth and strange to our ears, that it is very difficult for our sympathy to fix upon these objects. I am sure that some of us have come down stairs from the committee-room, with impressions on our minds, which to us were the inevitable results of our discoveries, yet if we should venture to express ourselves, in the proper language

language of our sentiments, to other gentlemen, not at all prepared to enter into the cause of them, nothing could appear more harsh and dissonant, more violent and unaccountable, than our language and behaviour. All these circumstances are not, I confess, very favourable to the idea of our attempting to govern India at all. But there we are; there we are placed by the Sovereign Disposer; and we must do the best we can in our situation. The situation of man is the preceptor of his duty.

Upon the plan which I laid down, and to which I beg leave to return, I was considering the conduct of the company to those nations which are indirectly subject to their authority. The most considerable of the dependent princes is the nabob of Oude. * My right honourable friend, to whom we owe the remedial bills on your table, has already pointed out to you, in one of the reports, the condition of that prince, and as it stood in the time he alluded to. I shall only add a few circumstances that may tend to awaken some sense of the manner in which the condition of the people is affected by that of the prince, and involved in it; and to shew you, that when we talk of the sufferings of princes, we do not lament the oppression of individuals; and that in these cases the high and the low suffer together.

* Mr. Fox.

In

In the year 1779, the nabob of Oude represented, through the British resident at his court, that the number of company's troops stationed in his dominions was a main cause of his distress; and that all those which he was not bound by treaty to maintain should be withdrawn, as they had greatly diminished his revenue, and impoverished his country. I will read you, if you please, a few extracts from these representations.

He states, "that the country and cultivation "are abandoned; and this year in particular, "from the excessive drought of the season, deduc- "tions of many lacks having been allowed to the "farmers, who are still left unsatisfied;" and then he proceeds with a long detail of his own distress, and that of his family, and all his dependants; and adds, "that the new-raised brigade is not "only quite useless to my government, but is "moreover the cause of much loss, both in reve- "nues and customs. The detached body of troops "under European officers bring nothing *but con-* "*fusion to the affairs of my government, and are* "*entirely their own masters.*" Mr. Middleton, Mr. Hastings's confidential resident, vouches for the truth of this representation in its fullest extent. "I am concerned to confess, that there is too good "ground for this plea. *The misfortune has been* "*general throughout the whole of the vizier's* [the "nabob of Oude] *dominions*, obvious to every "body;

"body; and so *fatal* have been its consequences, "that no person of either credit or character, "would enter into engagements with government "for farming the country." He then proceeds to give strong instances of the general calamity, and its effects.

It was now to be seen what steps the governour-general and council took for the relief of this distressed country, long labouring under the vexations of men, and now stricken by the hand of God. The case of a general famine is known to relax the severity even of the most rigorous government.—Mr. Hastings does not deny, or shew the least doubt of the fact. The representation is humble, and almost abject. On this representation from a great prince of the distress of his subjects, Mr. Hastings falls into a violent passion; such (as it seems) would be unjustifiable in any one who speaks of any part of *his* conduct. He declares "that the *demands*, the *tone* in which they were "asserted, and the *season* in which they were "made, are all equally alarming, and appear to "him to require an adequate degree of firmness "in this board, in *opposition* to them." He proceeds to deal out very unreserved language, on the person and character of the nabob and his ministers. He declares, that in a division between him and the nabob, "*the strongest must decide.*" With regard to the urgent and instant necessity, from

from the failure of the crops, he says, "that *per-* "*haps* expedients *may be found* for affording a "*gradual* relief from the burthen of which he so "heavily complains, and it shall be my endeavour "to seek them out:" and lest he should be suspected of too much haste to alleviate sufferings, and to remove violence, he says, "that these must "be *gradually* applied, and their complete *effect* "may be *distant;* and this I conceive *is all* he can "claim of right."

This complete effect of his lenity is distant indeed. Rejecting this demand, (as he calls the nabob's abject supplication) he attributes it, as he usually does all things of the kind, to the division in their government; and says, "this is a power- "ful motive with *me* (however inclined I might "be, *upon any other occasion,* to yield to some *part* "of his demand) to give them an *absolute and un-* "*conditional refusal* upon the present; and even *to* "*bring to punishment, if my influence can produce* "*that effect, those incendiaries who have endea-* "*voured to make themselves the instruments of* "*division between us.*"

Here, Sir, is much heat and passion; but no more consideration of the distress of the country, from a failure of the means of subsistence, and (if possible) the worse evil of an useless and licentious soldiery, than if they were the most contemptible of all trifles. A letter is written in consequence, in

in such a style of lofty despotism, as I believe has hitherto been unexampled and unheard-of in the records of the East. The troops were continued. The *gradual* relief, whose effect was to be so *distant*, has *never* been substantially and beneficially applied—and the country is ruined.

Mr. Hastings, two years after, when it was too late, saw the absolute necessity of a removal of the intolerable grievance of this licentious soldiery, which, under pretence of defending it, held the country under military execution. A new treaty and arrangement, according to the pleasure of Mr. Hastings, took place; and this new treaty was broken in the old manner, in every essential article. The soldiery were again sent, and again set loose. The effect of all his manœuvres, from which it seems he was sanguine enough to entertain hopes, upon the state of the country, he himself informs us, "the event has proved the *reverse* "of his hopes, and *accumulation of distress, debase-* "*ment, and dissatisfaction* to the nabob, and *dis-* "*appointment and disgrace to me.*—Every measure "[which he had himself proposed] has been *so* "*conducted* as to give him cause of displeasure; "there are no officers established by which his af- "fairs could be regularly conducted; mean, in- "capable, and indigent men have been appointed. "A number of the districts without authority, "and without the means of personal protection;

"some

"some of them have been murdered by the ze-
"mindars, and those zemindars, instead of pu-
"nishment, have been permitted to retain their
"zemindaries, with independent authority; *all*
"the other zemindars suffered to rise up in rebel-
"lion, and to insult the authority of the sircar,
"without any attempt made to suppress them;
"and the company's debt, instead of being dis-
"charged by the assignments and extraordinary
"sources of money provided for that *purpose, is*
"*likely to exceed even the amount at which it stood*
"*at the time in which the arrangement with his*
"*excellency was concluded.*" The house will smile at the resource on which the directors take credit as such a certainty in their curious account.

This is Mr. Hastings's own narrative of the effects of his own settlement. This is the state of the country which we have been told is in perfect peace and order; and, what is curious, he informs us, that *every part of this was foretold to him in the order and manner in which it happened,* at the very time he made his arrangement of men and measures.

The invariable course of the company's policy is this: either they set up some prince too odious to maintain himself without the necessity of their assistance; or they soon render him odious, by making him the instrument of their government. In that case troops are bountifully sent to him to

maintain his authority. That he should have no want of assistance, a civil gentleman, called a resident, is kept at his court, who, under pretence of providing duly for the pay of these troops, gets assignments on the revenue into his hands. Under his provident management, debts soon accumulate; new assignments are made for these debts; until, step by step, the whole revenue, and with it the whole power of the country, is delivered into his hands. The military do not behold without a virtuous emulation the moderate gains of the civil department. They feel that, in a country driven to habitual rebellion by the civil government, the military is necessary; and they will not permit their services to go unrewarded. Tracts of country are delivered over to their discretion. Then it is found proper to convert their commanding officers into farmers of revenue. Thus between the well paid civil, and well-rewarded military establishment, the situation of the natives may be easily conjectured. The authority of the regular and lawful government is every where and in every point extinguished. Disorders and violences arise; they are repressed by other disorders and other violences. Wherever the collectors of the revenue, and the farming colonels and majors move, ruin is about them, rebellion before and behind them. The people in crowds fly out of the country; and the frontier is guarded by lines of

troops,

troops, not to exclude an enemy, but to prevent the escape of the inhabitants.

By these means, in the course of not more than four or five years, this once opulent and flourishing country, which, by the accounts given in the Bengal consultations, yielded more than three crore of Sicca rupees, that is, above three millions sterling annually, is reduced, as far as I can discover, in a matter purposely involved in the utmost perplexity, to less than one million three hundred thousand pounds, and that exacted by every mode of rigour that can be devised. To complete the business, most of the wretched remnants of this revenue are mortgaged, and delivered into the hands of the usurers at Benares (for there alone are to be found some lingering remains of the ancient wealth of these regions) at an interest of near *thirty per cent. per annum.*

The revenues in this manner failing, they seized upon the estates of every person of eminence in the country, and under the name of *resumption*, confiscated their property. I wish, Sir, to be understood universally and literally, when I assert, that there is not left one man of property and substance for his rank, in the whole of these provinces, in provinces which are nearly the extent of England and Wales taken together. Not one landholder, not one banker, not one merchant, not one even of those who usually perish

 last,

last, the *ultimum moriens* in a ruined state, not one farmer of revenue.

One country for a while remained, which stood as an island in the midst of the grand waste of the company's dominion. My right honourable friend, in his admirable speech on moving the bill, just touched the situation, the offences, and the punishment of a native prince, called Fizulla Khân. This man, by policy and force, had protected himself from the general extirpation of the Rohilla chiefs. He was secured (if that were any security) by a treaty. It was stated to you, as it was stated by the enemies of that unfortunate man—"that "the whole of his country *is* what the whole "country of the Rohillas *was*, cultivated like a "garden, without one neglected spot in it."—Another accuser says, "Fyzoolah Kahn, though "a bad soldier, [that is the true source of his mis-"fortune] has approved himself a good aumil; "having, it is supposed in the course of a few "years, at least *doubled* the population and revenue "of his country."—In another part of the correspondence he is charged with making his country an asylum for the oppressed peasants, who fly from the territories of Oude. The improvement of his revenue, arising from this single crime, (which Mr. Hastings considers as tantamount to treason) is stated at an hundred and fifty thousand pounds a year.

Dr.

Dr. Swift somewhere says, that he who could make two blades of grass grow where but one grew before, was a greater benefactor to the human race than all the politicians that ever existed. This prince, who would have been deified by antiquity, who would have been ranked with Osiris, and Bacchus, and Ceres, and the divinities most propitious to men, was, for those very merits, by name attacked by the company's government, as a cheat, a robber, a traitor. In the same breath in which he was accused as a rebel, he was ordered at once to furnish 5,000 horse. On delay, or (according to the technical phrase, when any remonstrance is made to them) "*on evasion*," he was declared a violator of treaties, and every thing he had was to be taken from him.—Not one word, however, of horse in this treaty.

The territory of this Fizulla Khân, Mr. Speaker, is less than the county of Norfolk. It is an inland country, full seven hundred miles from any seaport, and not distinguished for any one considerable branch of manufacture whatsoever. From this territory several very considerable sums had at several times been paid to the British resident. The demand of cavalry, without a shadow or decent pretext of right, amounted to three hundred thousand a year more, at the lowest computation; and it is stated, by the last person sent to negotiate, as a demand of little use, if it could be complied with;

with; but that the compliance was impossible, as it amounted to more than his territories could supply, if there had been no other demand upon him —three hundred thousand pounds a year from an inland country not so large as Norfolk!

The thing most extraordinary was to hear the culprt defend himself from the imputation of his virtues, as if they had been the blackest offences. He extenuated the superiour cultivation of his country. He denied its population. He endeavoured to prove that he had often sent back the poor peasant that sought shelter with him.—I can make no observation on this.

After a variety of extortions and vexations, too fatiguing to you, too disgusting to me, to go through with, they found "that they ought to "be in a better state to warrant forcible means;" they therefore contented themselves with a gross sum of 150,000 pounds for their present demand. They offered him indeed an indemnity from their exactions in future for three hundred thousand pounds more. But he refused to buy their securities; pleading (probably with truth) his poverty; but if the plea were not founded, in my opinion very wisely; not choosing to deal any more in that dangerous commodity of the company's faith; and thinking it better to oppose distress and unarmed obstinacy to uncoloured exaction, than to subject himself to be considered as a cheat, if he should

should make a treaty in the least beneficial to himself.

Thus they executed an exemplary punishment on Fizulla Khân for the culture of his country. But, conscious that the prevention of evils is the great object of all good regulation, they deprived him of the means of increasing that criminal cultivation in future, by exhausting his coffers; and, that the population of his country should no more be a standing reproach and libel on the company's government, they bound him, by a positive engagement, not to afford any shelter whotsoever to the farmers and labourers who should seek refuge in his territories, from the exactions of the British residents in Oude. When they had done all this effectually, they gave him a full and complete acquittance from all charges of rebellion, or of any intention to rebel, or of his having originally had any interest in, or any means of rebellion.

These intended rebellions are one of the company's standing resources. When money has been thought to be heaped up any where, its owners are universally accused of rebellion, until they are acquitted of their money and their treasons at once. The money once taken, all accusation, trial, and punishment ends. It is so settled a resource, that I rather wonder how it comes to be omitted in the directors account; but I take it for granted this omission will be supplied in their next edition.

The

The company stretched this resource to the full extent, when they accused two old women, in the remotest corner of India (who could have no possible view or motive to raise disturbances) of being engaged in rebellion, with an intent to drive out the English nation, in whose protection, purchased by money and secured by treaty, rested the sole hope of their existence. But the company wanted money, and the old women *must* be guilty of a plot. They were accused of rebellion, and they were convicted of wealth. Twice had great sums been extorted from them, and as often had the British faith guaranteed the remainder. A body of British troops, with one of the military farmers general at their head, was sent to seize upon the castle in which these helpless women resided. Their chief eunuchs, who were their agents, their guardians, protectors, persons of high rank according to the Eastern manners, and of great trust, were thrown into dungeons, to make them discover their hidden treasures; and there they lie at present. The lands assigned for the maintenance of the women were seized and confiscated. Their jewels and effects were taken, and set up to a pretended auction in an obscure place, and bought at such a price as the gentlemen thought proper to give. No account has ever been transmitted of the articles or produce of this sale. What money was obtained is unknown, or what terms were

stipulated

stipulated for the maintenance of these despoiled and forlorn creatures; for by some particulars it appears as if an engagement of the kind was made.

Let me here remark, once for all, that though the act of 1773 requires that an account of all proceedings should be diligently transmitted, that this, like all the other injunctions of the law, is totally despised; and that half at least of the most important papers are intentionally withheld.

I wish you, Sir, to advert particularly, in this transaction, to the quality and the numbers of the persons spoiled, and the instrument by whom that spoil was made. These ancient matrons called the Begums, or Princesses, were of the first birth and quality in India, the one mother, the other wife, of the late nabob of Oude, Sujah Dowlah, a prince possessed of extensive and flourishing dominions, and the second man in the Mogul empire. This prince (suspicious, and not unjustly suspicious, of his son and successor) at his death committed his treasures and his family to the British faith. That family and household, consisted of *two thousand women;* to which were added two other seraglios of near kindred, and said to be extremely numerous, and (as I am well informed) of about fourscore of the nabob's children, with all the eunuchs, the ancient servants, and a multitude of the dependants

pendants of his splendid court. These were all to be provided, for present maintenance and future establishment, from the lands assigned as dower, and from the treasures which he left to these matrons, in trust for the whole family.

So far as to the objects of the spoil. The *instrument* chosen by Mr. Hastings to despoil the relict of Sujah Dowlah was *her own son*, the reigning nabob of Oude. It was the pious hand of a son that was selected to tear from his mother and grandmother the provision of their age, the maintenance of his brethren, and of all the ancient household of his father. [Here a laugh from some young members]—The laugh is *seasonable*, and the occasion decent and proper.

By the last advices something of the sum extorted remained unpaid. The women in despair refused to deliver more, unless their lands are restored, and their ministers released from prison: but Mr. Hastings and his council, steady to their point, and consistent to the last in their conduct, write to the resident to stimulate the son to accomplish the filial acts he had brought so near to their perfection. "We desire," say they in their letter to the resident, (written so late as March last) "that you will inform us if any, and what means, "have been taken for recovering the balance due "from the Begum [Princess] at Fizabad; and "that,

"that, if necessary, you *recommend* it to the vizier "to enforce *the most effectual means* for that pur-"pose."

What their effectual means of enforcing demands on women of high rank and condition are, I shall shew you, Sir, in a few minutes; when I represent to you another of these plots and rebellions, which *always*, in India, though so *rarely* any where else, are the offspring of an easy condition, and hoarded riches.

Benares is the capital city of the Indian religion. It is regarded as holy by a particular and distinguished sanctity; and the Gentoos in general think themselves as much obliged to visit it once in their lives as the Mahometans to perform their pilgrimage to Mecca. By this means that city grew great in commerce and opulence; and so effectually was it secured by the pious veneration of that people, that in all wars and in all violences of power, there was so sure an asylum, both for poverty and wealth, (as it were under a divine protection) that the wisest laws and best assured free constitution could not better provide for the relief of the one, or the safety of the other; and this tranquillity influenced to the greatest degree the prosperity of all the country, and the territory of which it was the capital. The interest of money there was not more than half the usual rate in which it stood in all other places. The reports have

have fully informed you of the means and of the terms in which this city and the territory called Gazipour, of which it was the head, came under the sovereignty of the East India company.

If ever there was a subordinate dominion pleasantly circumstanced to the superiour power, it was this; a large rent or tribute, to the amount of two hundred and sixty thousand pounds a year, was paid in monthly instalments with the punctuality of a dividend at the bank. If ever there was a prince who could not have an interest in disturbances, it was its sovereign, the rajah Cheit Sing. He was in possession of the capital of his religion, and a willing revenue was paid by the devout people who resorted to him from all parts. His sovereignty and his independence, except his tribute, was secured by every tie. His territory was not much less than half of Ireland, and displayed in all parts a degree of cultivation, ease, and plenty, under his frugal and paternal management, which left him nothing to desire, either for honour or satisfaction.

This was the light in which this country appeared to almost every eye. But Mr. Hastings beheld it askance. Mr. Hastings tells us that it was *reported* of this Cheit Sing, that his father left him a million sterling, and that he made annual accessions to the hoard. Nothing could be so obnoxious to indigent power. So much wealth could not be

innocent.

innocent. The house is fully acquainted with the unfounded and unjust requisitions which were made upon this prince. The question has been most ably and conclusively cleared up in one of the reports of the select committee, and in an answer of the court of directors to an extraordinary publication against them by their servant, Mr. Hastings. But I mean to pass by these exactions, as if they were perfectly just and regular; and, having admitted them, I take what I shall now trouble you with, only as it serves to shew the spirit of the company's government, the mode in which it is carried on, and the maxims on which it proceeds.

Mr. Hastings, from whom I take the doctrine, endeavours to prove that Cheit Sing was no sovereign prince; but a mere zemindar or common subject, holding land by rent. If this be granted to him, it is next to be seen under what terms he is of opinion such a landholder, that is a British subject, holds his life and property under the company's government. It is proper to understand well the doctrines of the person whose administration has lately received such distinguished approbation from the company. His doctrine is—"that "the company, or the *person delegated by it*, holds "*an absolute* authority over such zemindars;—"that he [such a subject] owes *an implicit* and *un-* "*reserved* obedience to its authority, at the *for-* "*feiture* even of his *life* and *property*, at the DIS-

"CRETION

" *lated weight which oppressed them.* I saw a *poli-*
" *tical necessity* for curbing the *overgrown* power of
" a great member of their dominion, and *for mak-*
" *it contribute to the relief of their pressing exi-*
" *gencies.*" This is plain speaking; after this, it is no wonder that the rajah's wealth and his offence, the necessities of the judge, and the opulence of the delinquent, are never separated through the whole of Mr. Hastings's apology. "The justice
" and *policy* of exacting *a large pecuniary mulct.*"
The resolution "*to draw from his guilt* the means
" *of relief to the company's distresses.*" His determination "to make him *pay largely* for his pardon,
" or to execute a severe vengeance for past delin-
" quency." That "as his *wealth was great*, and
" the *company's exigences* pressing, he thought it a
" measure of justice and policy to exact from him
" a large pecuniary mulct *for their relief.*"—"The
" sum" (says Mr. Wheler, bearing evidence, at his desire, to his intentions) "to which the governour
" declared his resolution to extend his fine, was
" forty or fifty lacks, *that is four or five hundred*
" *thousand pounds;* and that if he refused, he was
" to be removed from his zemindary entirely; or
" by taking possession of his forts, to obtain, *out of*
" *the treasure deposited in them*, the above sum for
" the company."

Crimes so convenient, crimes so politick, crimes

so

so necessary, crimes so alleviating of distress, can never be wanting to those who use no process, and who produce no proofs.

But there is another serious part (what is not so?) in this affair. Let us suppose that the power, for which Mr. Hastings contends, a power which no sovereign ever did, or ever can vest in any of his subjects, namely, his own sovereign authority, to be conveyed by the act of parliament to any man or body of men whatsoever; it certainly was never given to Mr. Hastings. The powers given by the act of 1773 were formal and official; they were given not to the governour general, but to the major vote of the board, as a board, on discussion amongst themselves, in their publick character and capacity; and their acts in that character and capacity were to be ascertained by records and minutes of council. The despotick acts exercised by Mr. Hastings were done merely in his *private* character; and, if they had been moderate and just, would still be the acts of an usurped authority, and without any one of the legal modes of proceeding which could give him competence for the most trivial exertion of power. There was no proposition or deliberation whatsoever in council, no minute on record, by circulation or otherwise, to authorize his proceedings. No delegation of power to impose a fine, or to take any step to deprive the rajah of Benares of his government, his

 property,

property, or his liberty. The minutes of consultation assign to his journey a totally different object, duty, and destination. Mr. Wheler, at his desire, tells us long after, that he had a confidential conversation with him on various subjects, of which this was the principal, in which Mr. Hastings notified to him his secret intentions; "and "that he *bespoke* his support of the measures which "he intended to pursue towards him (the rajah)." This confidential discourse, and *bespeaking* of support, could give him no power, in opposition to an express act of parliament, and the whole tenour of the orders of the court of directors.

In what manner the powers thus usurped were employed, is known to the whole world. All the house knows, that the design on the rajah proved as unfruitful as it was violent. The unhappy prince was expelled, and his more unhappy country was enslaved and ruined; but not a rupee was acquired. Instead of a treasure to recruit the company's finances, wasted by their wanton wars and corrupt jobs, they were plunged into a new war which shook their power in India to its foundation; and, to use the governour's own happy simile, might have dissolved it like a magick structure, if the talisman had been broken.

But the success is no part of my consideration, who should think just the same of this business, if the spoil of one rajah had been fully acquired, and faithfully

faithfully applied to the destruction of twenty other rajahs. Not only the arrest of the rajah in his palace was unnecessary and unwarrantable, and calculated to stir up any manly blood which remained in his subjects; but the despotick style, and the extreme insolence of language and demeanour, used to a person of great condition among the politest people in the world, was intolerable. Nothing aggravates tyranny so much as contumely. *Quicquid superbia in contumeliis* was charged by a great man of antiquity, as a principal head of offence against the governour general of that day. The unhappy people were still more insulted. A relation, but an *enemy* to the family, a notorious robber and villain, called Ussaun Sing, kept as a hawk in a mew, to fly upon this nation, was set up to govern there, instead of a prince honoured and beloved. But when the business of insult was accomplished, the revenue was too serious a concern to be entrusted to such hands. Another was set up in his place, as guardian to an infant.

But here, Sir, mark the effect of all these *extraordinary* means, of all this policy and justice. The revenues which had been hitherto paid with such astonishing punctuality, fell into arrear. The new prince guardian was deposed without ceremony; and with as little, cast into prison. The government of that once happy country has been in the utmost confusion ever since such good order was

taken about it. But, to complete the contumely offered to this undone people, and to make them feel their servitude in all its degradation, and all its bitterness, the government of their sacred city, the government of that Benares which had been so respected by Persian and Tartar conquerors, though of the Mussulman persuasion, that even in the plenitude of their pride, power and bigotry, no magistrate of that sect entered the place, was now delivered over by English hands to a Mahometan; and an Ali Ibraim Khân was introduced, under the company's authority, with power of life and death, into the sanctuary of the Gentoo religion.

After this, the taking off a slight payment, cheerfully made by pilgrims to a chief of their own rites, was represented as a mighty benefit. It remains only to shew, through the conduct in this business, the spirit of the company's government, and the respect they pay towards other prejudices not less regarded in the east than those of religion; I mean the reverence paid to the female sex in general, and particularly to women of high rank and condition. During the general confusion of the country of Gazypore, Panna, the mother of Cheit Sing, was lodged with her train in a castle called Bidgé Gur, in which were likewise deposited a large portion of the treasures of her son, or more probably her own. To whomsoever they

belonged

belonged was indifferent; for though no charge of rebellion was made on this woman (which was rather singular, as it would have cost nothing) they were resolved to secure her with her fortune. The castle was besieged by major Popham.

There was no great reason to apprehend that soldiers ill paid, that soldiers who thought they had been defrauded of their plunder on former services of the same kind, would not have been sufficiently attentive to the spoil they were expressly come for; but the gallantry and generosity of the profession was justly suspected, as being likely to set bounds to military rapaciousness. The company's first civil magistrate discovered the greatest uneasiness lest the women should have any thing preserved to them. Terms, tending to put some restraint on military violence, were granted. He writes a letter to Mr. Popham, referring to some letter written before to the same effect, which I do not remember to have seen; but it shews his anxiety on this subject. Hear himself:—"I think *every* "demand she has made on you, except that of "safety and respect to her person, is unreasonable. "If the reports brought to me are true, your re-"jecting her offers, or *any negotiation*, would soon "obtain you the fort upon your own terms. I ap-"prehend she will attempt to *defraud the captors of* "*a considerable part of their booty, by being suffered* "*to retire without examination.* But this is your concern,

" concern, not mine. I should *be very sorry* that " your officers and soldiers lost *any* part of the re- " ward to which they are so well entitled; but " you must be the best judge of the *promised* indul- " gence to the ranny: what you have engaged " for I will certainly ratify; but as to suffering the " ranny to hold the purgunna of Hurlich, or any " other zemindary, without being subject to the " authority of the zemindar, *or any lands what-* " *soever*, or indeed making *any* condition with " her for a *provision*, I will *never consent*."

Here your governour stimulates a rapacious and licentious soldiery to the personal search of women, lest these unhappycreatures should avail themselves of the protection of their sex to secure any supply for their necessities; and he positively orders that no stipulation should be made for any provision for them. The widow and mother of a prince, well informed of her miserable situation, and the cause of it, a woman of this rank became a suppliant to the domestick servant of Mr. Hastings (they are his own words that I read;) " imploring " his intercession, that she may be relieved *from the* " *hardships and dangers of her present situation;* " and offering to surrender the fort, and the *trea-* " *sure and valuable effects* contained in it, provided " she can be assured *of safety and protection to her* " *person and honour*, and to that of her family and " attendants." He is so good as to consent to this,

" provided

" provided she surrenders every thing of value,
" with the reserve *only* of such articles as *you* shall
" think *necessary* to her condition, or as you *your-*
" *self* shall be disposed to indulge her with.—But
" should she refuse to execute the promise she has
" made, or delay it beyond the term of twenty-
" four hours, it is *my positive* injunction, that you
" immediately put a stop to any further inter-
" course or negotiation with her, and on no pre-
" text renew it. If she disappoints or *trifles* with
" me, after I have subjected *my duan* to the dis-
" grace of returning ineffectually, and of course
" myself to discredit, I shall consider it as a *wanton*
" affront and indignity *which I can never forgive;*
" nor will I grant her *any* conditions whatever,
" but leave her exposed *to those* dangers which she
" has chosen to risk, rather than trust to the
" clemency and generosity of our government. I
" think she cannot be ignorant of these conse-
" quences, and will not venture to incur them;
" and it is for this reason I place a dependance on
" her offers, and have consented to send *my duan*
" to her." The dreadful secret hinted at by the merciful governour in the latter part of the letter, is well understood in India; where those who suffer corporeal indignities, generally expiate the offences of others with their own blood. However, in spite of all these, the temper of the military did, some way or other, operate. They came to terms

which

which have never been transmitted. It appears that a fifteenth *per cent.* of the plunder was reserved to the captives, of which the unhappy mother of the prince of Benares was to have a share. This ancient matron, born to better things [a laugh from certain young gentlemen]—I see no cause for this mirth. A good author of antiquity reckons among the calamities of his time. *Nobilissimarum fœminarum exilia et fugas.* I say, Sir, this ancient lady was compelled to quit her house with three hundred helpless women, and a multitude of children in her train; but the lower sort in the camp it seems could not be restrained. They did not forget the good lessons of the governour general. They were unwilling "to be defrauded of a con-"siderable part of their booty by suffering them "to pass without examination."—They examined them, Sir, with a vengeance, and the sacred protection of that awful character, Mr. Hastings's maitre d'hotel, could not secure them from insult, and plunder. Here is Popham's narrative of the affair:—"The ranny came out of the fort, with her "family and dependants, the 10th at night, owing "to which such attention was not paid to her as "I wished; and I am exceedingly sorry to inform "you, that the *licentiousness of our followers was* "*beyond the bounds of control; for, notwithstanding* "*all I could do, her people were plundered on the* "*road of most of the things which they brought out*

of

" *of the fort, by which means one of the articles* " *of surrender has been much infringed.* The dis- " tress I have felt upon this occasion cannot be " expressed, and can only be allayed by a firm " performance of the other articles of the treaty, " which I shall make it my business to enforce.

" The suspicions which the officers had of trea- " chery, and the delay made to our getting posses- " sion, had enraged them, as well as the troops, " so much, that the treaty was at first regarded " as void, but this determination w assoon suc- " ceeded by pity and compassion for the unfortu- " nate besieged."—After this comes, in his due order, Mr. Hastings; who is full of sorrow and indignation, &c. &c. &c. according to the best and most authentick precedents established upon such occasions.

The women being thus disposed of, that is, completely despoiled, and pathetically lamented, Mr. Hastings at length recollected the great object of his enterprise, which, during his zeal lest the officers and soldiers should lose any part of their reward, he seems to have forgot; that is to say, " to draw from the rajah's guilt the means of re- " lief to the company's distresses." This was to be the strong hold of his defence. This compassion to the company, he knew by experience would sanctify a great deal of rigour towards the natives. But the military had distresses of their own, which they

they considered first. Neither Mr. Hastings's authority, nor his supplications, could prevail on them to assign a shilling to the claim he made on the part of the company. They divided the booty amongst themselves. Driven from his claim, he was reduced to petition for the spoil as a loan. But the soldiers were too wise to venture as a loan, what the borrower claimed as a right. In defiance of all authority, they shared among themselves about two hundred thousand pounds sterling, besides what had been taken from the women.

In all this there is nothing wonderful. We may rest assured, that when the maxims of any government establish among its resources extraordinary means, and those exerted with a strong hand, that strong hand will provide those extraordinary means for *itself*. Whether the soldiers had reason or not (perhaps much might be said for them) certain it is, the military discipline of India was ruined from that moment; and the same rage for plunder, the same contempt of subordination, which blasted all the hopes of extraordinary means from your strong hand at Benares, have very lately lost you an army in Mysore. This is visible enough from the accounts in the last Gazette.

There is no doubt but that the country and city of Benares, now brought into the same order, will very soon exhibit, if it does not already display, the same appearances with those countries and

cities

cities which are under better subjection. A great master, Mr. Hastings, has himself been at the pains of drawing a picture of one of these countries, I mean the province and city of Farruckabad. There is no reason to question his knowledge of the facts; and his authority (on this point at least) is above all exception, as well for the state of the country as for the cause. In his minute of consultation, Mr. Hastings describes forcibly the consequences which arise from the degradation into which we have sunk the native government. "The "total want (says he) of all order, regularity, or "authority, in his (the nabob of Farruckabad's) "government, and to which, among other ob-"vious causes, it may no doubt be owing that the "country of Farruckabad is become *almost an en-"tire waste, without cultivation or inhabitants; that* "the capital, which, but a very short time ago, "was distinguished as one of the most populous "and opulent commercial cities in Hindostan, at "present exhibits nothing but *scenes of the most "wretched poverty, desolation and misery; and that* "the *nabob himself*, though in the possession of a "tract of country which, with only common care, "is notoriously capable of yielding an annual re-"venue of between thirty and forty lacks, (three "or four hundred thousand pounds) with no mi-"*litary establishment* to maintain, *scarcely com-"mands the means of a bare subsistence.*"

This is a true and unexaggerated picture, not only

only of Farruckabad, but of at least three fourths of the country which we possess, or rather lay waste, in India. Now, Sir, the house will be desirous to know for what purpose this picture was drawn. It was for a purpose, I will not say laudable, but necessary, that of taking the unfortunate prince and his country out of the hands of a sequestrator sent thither by the nabob of Oude, the mortal enemy of the prince thus ruined, and to protect him by means of a British resident, who might carry his complaints to the superior resident at Oude, or transmit them to Calcutta. But mark how the reformer persisted in his reformation. The effect of the measure was better than was probably expected. The prince began to be at ease; the country began to recover; and the revenue began to be collected. These were alarming circumstances. Mr. Hastings not only recalled the resident, but he entered into a formal stipulation with the nabob of Oude, never to send an English subject again to Farruckabad; and thus the country, described as you have heard by Mr. Hastings, is given up for ever to the very persons to whom he had attributed its ruin, that is, to the Sezawals or sequestrators of the nabob of Oude.

Such was the issue of the first attempt to relieve the distresses of the dependent provinces. I shall close what I have to say on the condition of the northern dependencies, with the effect of the last of these attempts. You will recollect

Sir,

Sir, the account I have not long ago stated to you as given by Mr. Hastings, of the ruined condition of the destroyer of others, the nabob of Oude, and of the recal, in consequence, of Hannay, Middleton, and Johnson. When the first little sudden gust of passion against these gentlemen was spent, the sentiments of old friendship began to revive. Some healing conferences were held between them and the superiour government. Mr. Hannay was permitted to return to Oude; but death prevented the further advantages intended for him, and the future benefits proposed for the country by the provident care of the council general.

One of these gentlemen was accused of the grossest peculations. Two of them by Mr. Hastings himself, of what he considered as very gross offences. The court of directors were informed, by the governour general and council, that a severe inquiry would be instituted against the two survivors; and they requested that court to suspend its judgment, and to wait the event of their proceedings. A mock inquiry has been instituted, by which the parties could not be said to be either acquitted or condemned. By means of the bland and conciliatory dispositions of the charter governours, and proper private explanations, the publick inquiry has in effect died away; the supposed peculators and destroyers of Oude repose in all security in the bosoms of their accusers; whilst

others

others succeed to them to be instructed by their example.

It is only to complete the view I proposed of the conduct of the company, with regard to the dependent provinces, that I shall say *any* thing at all of the Carnatick, which is the scene, if possible, of greater disorder than the northern provinces. Perhaps it were better to say of this center and metropolis of abuse, whence all the rest in India and in England diverge; from whence they are fed and methodized, what was said of Carthage—*de Carthagine satius est silere quam parum dicere.* This country, in all its denominations, is about 46,000 square miles. It may be affirmed universally, that not one person of substance or property, landed, commercial or monied, excepting two or three bankers, who are necessary deposits and distributors of the general spoil, is left in all that region. In that country the moisture, the bounty of Heaven, is given but at a certain season. Before the æra of our influence, the industry of man carefully husbanded that gift of God. The Gentoos preserved, with a provident and religious care, the precious deposit of the periodical rain in reservoirs, many of them works of royal grandeur; and from these, as occasion demanded, they fructified the whole country. To maintain these reservoirs, and to keep up an annual advance to the cultivators, for seed

and

and cattle, formed a principal object of the piety and policy of the priests and rulers of the Gentoo religion.

This object required a command of money; and there was no pollam, or castle, which in the happy days of the Carnatick was without some hoard of treasure, by which the governours were enabled to combat with the irregularity of the seasons, and to resist or to buy off the invasion of an enemy. In all the cities were multitudes of merchants and bankers, for all occasions of monied assistance; and on the other hand, the native princes were in condition to obtain credit from them. The manufacturer was paid by the return of commodities, or by imported money, and not, as at present, in the taxes that had been originally exacted from his industry. In aid of casual distress, the country was full of choultries, which were inns and hospitals, where the traveller and the poor were relieved. All ranks of people had their place in the publick concern, and their share in the common stock and common prosperity; but *the chartered rights of men*, and the right which it was thought proper to set up in the nabob of Arcot, introduced a new system. It was their policy to consider hoards of money as crimes; to regard moderate rents as frauds on the sovereign; and to view, in the lesser princes, any claim of exemption from more than settled tribute, as an act of rebellion. Accordingly

ingly all the castles were, one after the other, plundered and destroyed. The native princes were expelled; the hospitals fell to ruin; the reservoirs of water went to decay; the merchants, bankers, and manufacturers disappeared; and sterility, indigence, and depopulation, overspread the face of these once flourishing provinces.

The company was very early sensible of these mischiefs, and of their true cause. They gave precise orders "that the native princes, called polygars, should *not be extirpated*."—"The rebellion [so they choose to call it] of the polygars, may (they fear) *with too much justice*, be attributed to the mal-administration of the nabob's collectors:"—They observe with concern, that their troops have been put to *disagreeable* services." They might have used a stronger expression without impropriety. But they make amends in another place. Speaking of the polygars, the directors say, that "it was repugnant to humanity to *force* them to such dreadful extremities *as they underwent*:" That some examples of severity *might* be necessary, "when they fell into the nabob's hands," *and not by the destruction of the country*: "That *they fear* his government is *none of the mildest*; and that there is *great oppression* in collecting his revenues." They state, that the wars in which he has involved the Carnatick, had been a cause of its distresses: "that these distresses

"have

"have been certainly great; but those by *the nabob's oppressions* they believe *to be greater than all.*" Pray, Sir, attend to the reason for their opinion that the government of this their instrument is more calamitous to the country than the ravages of war.—Because, say they, his oppressions are "*without intermission.*—The other are temporary; by all which *oppressions* we believe the "nabob has great wealth in store." From this store neither he nor they could derive any advantage whatsoever upon the invasion of Hyder Ali in the hour of their greatest calamity and dismay.

It is now proper to compare these declarations with the company's conduct. The principal reason which they assigned against the *extirpation* of the polygars was, that the *weavers* were protected in their fortresses. They might have added, that the company itself, which stung them to death, had been warmed in the bosom of these unfortunate princes: for, on the taking of Madras by the French, it was in their hospitable pollams, that most of the inhabitants found refuge and protection. But, notwithstanding all these orders, reasons, and declarations, they at length gave an indirect sanction, and permitted the use of a very direct and irresistible force, to measures which they had, over and over again, declared to be false policy, cruel, inhuman, and oppressive. Having, however, forgot all attention to the princes

and the people, they remembered that they had some sort of interest in the trade of the country; and it is matter of curiosity to observe the protection which they afforded to this their natural object.

Full of anxious cares on this head, they direct, "that in reducing the polygars they (their servants) were to be *cautious*, not to deprive the "*weavers and manufacturers* of the protection "they often met with in the strong holds of the "polygar countries;"—and they write to their instrument, the nabob of Arcot, concerning these poor people in a most pathetick strain. "We *entreat* your excellency (say they) in particular, to "make the manufacturers the object of your *tenderest care;* particularly when you *root out* the "polygars, you do not deprive the *weavers of the* "*protection they enjoyed under them.*" When they root out the protectors in favour of the oppressor, they shew themselves religiously cautious of the rights of the protected. When they extirpate the shepherd and the shepherd's dog, they piously recommend the helpless flock to the mercy, and even to the *tenderest care*, of the wolf. This is the uniform strain of their policy, strictly forbidding, and at the same time strenuously encouraging and enforcing, every measure that can ruin and desolate the country committed to their charge. After giving the company's idea of the government

of

of this their instrument, it may appear singular, but it is perfectly consistent with their system, that, besides wasting for him, at two different times, the most exquisite spot upon the earth, Tanjore, and all the adjacent countries, they have even voluntarily put their own territory, that is, a large and fine country adjacent to Madras, called their jaghire, wholly out of their protection; and have continued to farm their subjects, and their duties towards these subjects, to that very nabob, whom they themselves constantly represent as an habitual oppressor, and a relentless tyrant. This they have done without any pretence of ignorance of the objects of oppression for which this prince has thought fit to become their renter; for he has again and again told them, that it is for the sole purpose of exercising authority he holds the jaghire lands; and he affirms (and I believe with truth) that he pays more for that territory than the revenues yield. This deficiency he must make up from his other territories; and thus, in order to furnish the means of oppressing one part of the Carnatick, he is led to oppress all the rest.

The house perceives that the livery of the company's government is uniform. I have described the condition of the countries indirectly, but most substantially, under the company's authority. And now I ask, whether, with this map of misgovernment

before me, I can suppose myself bound by my vote to continue, upon any principles of pretended publick faith, the management of these countries in those hands? - If I kept such a faith, (which in reality is no better than a *fides latronum*) with what is called the company, I must break the faith, the covenant, the solemn, original, indispensable oath, in which I am bound, by the eternal frame and constitution of things, to the whole human race.

As I have dwelt so long on these who are indirectly under the company's administration, I will endeavour to be a little shorter upon the countries immediately under this charter government.—These are the Bengal provinces. The condition of these provinces is pretty fully detailed in the sixth and ninth reports, and in their appendixes. I will select only such principles and instances as are broad and general. To your own thoughts I shall leave it, to furnish the detail of oppressions involved in them. I shall state to you, as shortly as I am able, the conduct of the company;—1st, towards the landed interests;—next, the commercial interests;—3dly, the native government;—and lastly, to their own government.

Bengal, and the provinces that are united to it, are larger than the kingdom of France; and once contained, as France does contain, a great and independent landed interest, composed of princes, of great lords, of a numerous nobility and gentry, of

of freeholders, of lower tenants, of religious communities, and publick foundations. So early as 1769, the company's servants perceived the decay into which these provinces had fallen under English administration, and they made a strong representation upon this decay, and what they apprehended to be the causes of it. Soon after this representation, Mr. Hastings became president of Bengal. Instead of administering a remedy to this melancholy disorder, upon the heels of a dreadful famine, in the year 1772, the succour which the new president and the council lent to this afflicted nation was—shall I be believed in relating it?—the landed interest of a whole kingdom, of a kingdom to be compared to France, was set up to publick auction! They set up (Mr. Hastings set up) the whole nobility, gentry, and freeholders, to the highest bidder. No preference was given to the ancient proprietors. They must bid against every usurer, every temporary adventurer, every jobber and schemer, every servant of every European, or they were obliged to content themselves, in lieu of their extensive domains, with their house, and such a pension as the state auctioneers thought fit to assign. In this general calamity, several of the first nobility thought (and in all appearance justly) that they had better submit to the necessity of this pension, than continue, under the name of zemindars, the objects and instruments of a system,

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by which they ruined their tenants, and were ruined themselves. Another reform has since come upon the back of the first; and a pension having been assigned to these unhappy persons, in lieu of their hereditary lands, a new scheme of œconomy has taken place, and deprived them of that pension.

The menial servants of Englishmen, persons (to use the emphatical phrase of a ruined and patient eastern chief) "*whose fathers they would not have* "*set with the dogs of their flock*," entered into their patrimonial lands. Mr. Hastings's banian was, after this auction, found possessed of territories yielding a rent of one hundred and forty thousand pounds a year.

Such an universal proscription, upon any pretence, has few examples. Such a proscription, without even a pretence of delinquency, has none. It stands by itself. It stands as a monument to astonish the imagination, to confound the reason of mankind. I confess to you, when I first came to know this business in its true nature and extent, my surprise did a little suspend my indignation. I was in a manner stupified by the desperate boldness of a few obscure young men, who having obtained, by ways which they could not comprehend, a power of which they saw neither the purposes nor the limits, tossed about, subverted, and tore to pieces, as if it were in the gambols of a boyish unluckiness and malice, the most established rights,

rights, and the most ancient and most revered institutions, of ages and nations. Sir, I will not now trouble you with any detail with regard to what they have since done with these same lands and land-holders; only to inform you, that nothing has been suffered to settle for two seasons together upon any basis; and that the levity and inconstancy of these mock legislators were not the least afflicting parts of the oppressions suffered under their usurpation; nor will any thing give stability to the property of the natives, but an administration in England at once protecting and stable. The country sustains, almost every year, the miseries of a revolution. At present, all is uncertainty, misery, and confusion. There is to be found through these vast regions no longer one landed man, who is a resource for voluntary aid, or an object for particular rapine. Some of them were, not long since, great princes; they possessed treasures, they levied armies. There was a zemindar in Bengal (I forget his name) that, on the threat of an invasion, supplied the soubah of these provinces with the loan of a million sterling. The family at this day wants credit for a breakfast at the bazar.

I shall now say a word or two on the company's care of the commercial interest of those kingdoms. As it appears in the reports, that persons in the highest stations in Bengal have adopted, as a fixed

a fixed plan of policy, the destruction of all intermediate dealers between the company and the manufacturer, native merchants have disappeared of course. The spoil of the revenues is the sole capital which purchases the produce and manufactures; and through three or four foreign companies transmits the official gains of individuals to Europe. No other commerce has an existence in Bengal. The transport of its plunder is the only traffick of the country. I wish to refer you to the appendix to the ninth report for a full account of the manner in which the company have protected the commercial interests of their dominions in the east.

As to the native government and the administration of justice, it subsisted in a poor tottering manner for some years. In the year 1781, a total revolution took place in that establishment. In one of the usual freaks of legislation of the council of Bengal, the whole criminal jurisdiction of these courts, called the Phoujdary Judicature, exercised till then by the principal Mussulmen, was in one day, without notice, without consultation with the magistrates or the people there, and without communication with the directors or ministers here, totally subverted. A new institution took place, by which this jurisdiction was divided between certain English servants of the company and the Gentoo zemindars of the country, the latter of whom

whom never petitioned for it, nor, for aught that appears, ever desired this boon. But its natural use was made of it; it was made a pretence for new extortions of money.

The natives had however one consolation in the ruin of their judicature; they soon saw that it fared no better with the English government itself. That too, after destroying every other, came to its period. This revolution may well be rated for a most daring act, even among the extraordinary things that have been doing in Bengal since our unhappy acquisition of the means of so much mischief.

An establishment of English government for civil justice, and for the collection of revenue, was planned and executed by the president and council of Bengal, subject to the pleasure of the directors, in the year 1772. According to this plan, the country was divided into six districts, or provinces. In each of these was established a provincial council, which administered the revenue; and of that council one member by monthly rotation, presided in the courts of civil resort; with an appeal to the council of the province, and thence to Calcutta. In this system (whether, in other respects, good or evil) there were some capital advantages. There was in the very number of persons in each provincial council, authority, communication, mutual check, and control. They were obliged, on their

their minutes of consultation, to enter their reasons and dissents; so that a man of diligence, of research, and tolerable sagacity, sitting in London, might, from these materials, be enabled to form some judgment of the spirit of what was going on on the furthest banks of the Ganges and Burrampooter.

The court of directors so far ratified this establishment, (which was consonant enough to their general plan of government) that they gave precise orders, that no alteration should be made in it, without their consent. So far from being apprized of any design against this constitution, they had reason to conceive that on trial it had been more and more approved by their council general, at least by the governour general, who had planned it. At the time of the revolution, the council general was nominally in two persons, virtually in one. At that time measures of an arduous and critical nature ought to have been forborne, even if, to the fullest council, this specifick measure had not been prohibited by the superiour authority. It was in this very situation, that one man had the hardiness to conceive, and the temerity to execute, a total revolution in the form and the persons composing the government of a great kingdom. Without any previous step, at one stroke, the whole constitution of Bengal, civil and criminal, was swept away. The counsellors were recalled from

from their provinces; upwards of fifty of the principal officers of government were turned out of employ, and rendered dependent on Mr. Hastings for their immediate subsistence, and for all hope of future provision. The chief of each council, and one European collector of revenue, was left in each province.

But here, Sir, you may imagine a new government, of some permanent description, was established in the place of that which had been thus suddenly overturned. No such thing. Lest these chiefs, without councils, should be conceived to form the ground plan of some future government, it was publickly declared, that their continuance was only temporary and permissive. The whole subordinate British administration of revenue was then vested in a committee in Calcutta, all creatures of the governour general; and the provincial management, under the permissive chief, was delivered over to native officers.

But, that the revolution, and the purposes of the revolution might be complete, to this committee were delegated, not only the functions of all the inferiour, but, what will surprise the house, those of the supreme administration of revenue also. Hitherto the governour general and council had, in their revenue department, administered the finances of those kingdoms. By the new scheme they are delegated to this committee, who are only to report their proceedings for approbation.

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The key to the whole transaction is given in one of the instructions to the committee, "that it is "not necessary that they should enter dissents." By this means the ancient plan of the company's administration was destroyed; but the plan of concealment was perfected. To that moment the accounts of the revenues were tolerably clear; or at least means were furnished for inquiries, by which they might be rendered satisfactory. In the obscure and silent gulph of this committee every thing is now buried. The thickest shades of night surround all their transactions. No effectual means of detecting fraud, mismanagement or misrepresentation, exist. The directors, who have dared to talk with such confidence on their revenues, know nothing about them. What used to fill volumes is now comprised under a few dry heads on a sheet of paper. The natives, a people habitually made to concealment, are the chief managers of the revenue throughout the provinces. I mean by natives, such wretches as your rulers select out of them as most fitted for their purposes. As a proper key-stone to bind the arch, a native, one Gunga Govind Sing, a man turned out of his employment by Sir John Clavering, for malversation in office, is made the corresponding secretary; and indeed the great moving principle of their new board.

As the whole revenue and civil administration was thus subverted, and a clandestine government

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substituted in the place of it, the judicial institution underwent a like revolution. In 1772 there had been six courts formed out of the six provincial councils. Eighteen new ones are appointed in their place, with each a judge, taken from the *junior* servants of the country. To maintain these eighteen courts, a tax is levied on the sums in litigation, of 2½ *per cent.* on the great, and of 5 *per cent.* on the less. This money is all drawn from the provinces to Calcutta. The chief justice, (the same who stays in defiance of a vote of this house, and of his majesty's recal) is appointed at once the treasurer and disposer of these taxes, levied, without any sort of authority, from the company, from the crown, or from parliamet.

In effect, Sir, every legal regular authority in matters of revenue, of political administration, of criminal law, of civil law, in many of the most essential parts of military discipline, is laid level with the ground; and an oppressive, irregular, capricious, unsteady, rapacious, and peculating despotism, with a direct disavowal of obedience to any authority at home, and without any fixed maxim, principle, or rule of proceeding, to guide them in India, is at present the state of your charter-government over great kingdoms.

As the company has made this use of their trust, I should ill discharge mine, if I refuse to give my most chearful vote for the redress of these abuses, by

by putting the affairs of so large and valuable a part of the interests of this nation, and of mankind, into some steady hands, possessing the confidence, and assured of the support of this house, until they can be restored to regularity, order, and consistency.

I have touched the heads of some of the grievances of the people, and the abuses of government. But I hope and trust, you will give me credit, when I faithfully assure you, that I have not mentioned one-fourth part of what has come to my knowledge in your committee; and further, I have full reason to believe, that not one-fourth part of the abuses are come to my knowledge, by that or by any other means. Pray consider what I have said only as an index to direct you in your inquiries.

If this then, Sir, has been the use made of the trust of political powers internal and external, given by you in the charter, the next thing to be seen is the conduct of the company with regard to the commercial trust. And here I will make a fair offer:—If it can be proved that they have acted wisely, prudently, and frugally, as merchants, I shall pass by the whole mass of their enormities as statesmen. That they have not done this their present condition is proof sufficient. Their distresses are said to be owing to their wars. This is not wholly true. But if it were, is not that rea-

diness to engage in wars which distinguishes them, and for which the committee of secrecy has so branded their politicks, founded on the falsest principles of mercantile speculation?

The principle of buying cheap and selling dear is the first, the great foundation of mercantile dealing. Have they ever attended to this principle? Nay, for years have they not actually authorized in their servants a total indiference as to the prices they were to pay?

A great deal of strictness in driving bargains for whatever we contract, is another of the principles of mercantile policy. Try the company by that test! Look at the contracts that are made for them. Is the company so much as a good commissary to their own armies? I engage to select for you, out of the innumerable mass of their dealings, a conducted very nearly alike, one contract only, the excessive profits on which during a short term would pay the whole of their year's dividend. I shall undertake to shew, that upon two [illegible], the inordinate profits given, with the losses incurred in order to secure those profits, would pay a year's dividend more.

It is a third property of trading men to see that their clerks do not divert the dealings of the company to their own benefit. It was the other day only, when their governour and council traded the company's investment with the sum of [illegible] thousand pounds, as an inducement to persuade only seven members

members of their board of trade to give their *honour* that they would abstain from such profits upon that investment as they must have violated their *oaths* if they had made at all.

It is a fourth quality of a merchant to be exact in his accounts. What will be thought, when you have fully before you the mode of accounting made use of in the treasury of Bengal?—I hope you will have it soon. With regard to one of their agencies, when it came to the material part, the prime cost of the goods on which a commission of fifteen *per cent.* was allowed, to the astonishment of the factory to whom the commodities were sent, the accountant general reports that he did not think himself authorized to call for *vouchers* relative to this and other particulars,—because the agent was upon his *honour* with regard to them. A new principle of account upon honour seems to be regularly established in their dealings and their treasury, which in reality amounts to an entire annihilation of the principle of all accounts. . .

It is a fifth property of a merchant, who does not meditate a fraudulent bankruptcy, to calculate his probable profits upon the money he takes up to vest in business. Did the company, when they bought good on bonds bearing 8 *per cent.* interest, at ten and even twenty *per cent.* discount, even ask themselves a question concerning the possibility of advantage from dealing on these terms?

The last quality of a merchant I shall advert to, is

is the taking care to be properly prepared, in cash or goods, in the ordinary course of sale, for the bills which are drawn on them. Now I ask, whether they have ever calculated the clear produce of any given sales, to make them tally with the four millions of bills which are come and coming upon them, so as at the proper periods to enable the one to liquidate the other? No, they have not. They are now obliged to borrow money of their own servants to purchase their investment. The servants stipulate five *per cent.* on the capital they advance, if their bills should not be paid at the time when they become due; and the value of the rupee on which they charge this interest is taken at two shillings and a penny. Has the company ever troubled themselves to inquire whether their sales can bear the payment of that interest, and at that rate of exchange? Have they once considered the dilemma in which they are placed—the ruin of their credit in the East Indies, if they refuse the bills—the ruin of their credit and existence in England, if they accept them? Indeed no trace of equitable government is found in their politicks; not one trace of commercial principle in their mercantile dealing; and hence is the deepest and maturest wisdom of parliament demanded, and the best resources of this kingdom must be strained, to restore them; that is, to restore the countries destroyed by the misconduct of the company, and to

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restore the company itself, ruined by the consequences of their plans for destroying what they were bound to preserve.

I required, if you remember, at my outset, a proof that these abuses were habitual. But surely this is not necessary for me to consider as a separate head; because I trust I have made it evident beyond a doubt, in considering the abuses themselves, that they are regular, permanent, and systematical.

I am now come to my last condition, without which, for one, I will never readily lend my hand to the destruction of any established government; which is, That in its present state, the government of the East India company is absolutely incorrigible.

Of this great truth I think there can be little doubt, after all that has appeared in this house. It is so very clear, that I must consider the leaving any power in their hands, and the determined resolution to continue and countenance every mode and every degree of peculation, oppression, and tyranny, to be one and the same thing. I look upon that body incorrigible, from the fullest consideration both of their uniform conduct, and their present real and virtual constitution.

If they had not constantly been apprized of all the enormities committed in India under their authority; if this state of things had been as much a dis-

a discovery to them as it was to many of us; we might flatter ourselves that the detection of the abuses would lead to their reformation. I will go further: If the court of directors had not uniformly condemned every act which this house or any of its committees had condemned; if the language in which they expressed their disapprobation against enormities and their authors had not been much more vehement and indignant than any ever used in this house, I should entertain some hopes. If they had not on the other hand, as uniformly commended all their servants who had done their duty and obeyed their orders, as they had heavily censured those who rebelled; I might say, These people have been in an errour, and when they are sensible of it they will mend. But when I reflect on the uniformity of their support to the objects of their uniform censure; and the state of insignificance and disgrace to which all of those have been reduced whom they approved; and that even utter ruin and premature death have been among the fruits of their favour; I must be convinced, that in this case, as in all others, hypocrisy is the only vice that never can be cured.

Attend, I pray you, to the situation and prosperity of Benfield, Hastings, and others of that sort. The last of these has been treated by the company with an asperity of reprehension that has no parallel. They lament "that the power of

"disposing of their property for perpetuity, should "fall into such hands." Yet for fourteen years, with little interruption, he has governed all their affairs, of every description, with an absolute sway. He has had himself the means of heaping up immense wealth; and, during that whole period, the fortunes of hundreds have depended on his smiles and frowns. He himself tells you he is incumbered with two hundred and fifty young gentlemen; some of them of the best families in England, all of whom aim at returning with vast fortunes to Europe in the prime of life. He has then two hundred and fifty of your children as his hostages for your good behaviour; and loaded for years, as he has been, with the execrations of the natives, with the censures of the court of directors, and struck and blasted with the resolutions of this house, he still maintains the most despotick power ever known in India. He domineers with an overbearing sway in the assemblies of his pretended masters; and it is thought in a degree rash to venture to name his offences in this house, even as grounds of a legislative remedy.

On the other hand, consider the fate of those who have met with the applauses of the directors. Colonel Monson, one of the best of men, had his days shortened by the applauses, destitute of the support, of the company. General Clavering, whose panegyrick was made in every dispatch from

from England, whose hearse was bedewed with the tears, and hung round with the eulogies of the court of directors, burst an honest and indignant heart at the treachery of those who ruined him by their praises. Uncommon patience and temper supported Mr. Francis a while longer under the baneful influence of the commendation of the court of directors. His health however gave way at length; and in utter despair, he returned to Europe. At his return the doors of the India House were shut to this man, who had been the object of their constant admiration. He has indeed escaped with life, but he has forfeited all expectation of credit, consequence, party, and following. He may well say, *Me nemo ministro fur erit, atque ideo nulli comes exeo.* This man, whose deep reach of thought, whose large legislative conceptions, and whose grand plans of policy make the most shining part of our reports, from whence we have all learned our lessons, if we have learned any good ones; this man, from whose materials those gentlemen who have least acknowledged it have yet spoken as from a brief; this man, driven from his employment, discountenanced by the directors, has had no other reward, and no other distinction, but that inward "sunshine of the soul" which a good conscience can always bestow upon itself. He has not yet had so much as a good word, but from a person too insignificant to make

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any other return, for the means with which he has been furnished for performing his share of a duty which is equally urgent on us all.

Add to this, that from the highest in place to the lowest, every British subject, who, in obedience to the company's orders, has been active in the discovery of peculations, has been ruined. They have been driven from India. When they made their appeal at home they were not heard; when they attempted to return they were stopped. No artifice of fraud, no violence of power, has been omitted to destroy them in character as well as in fortune.

Worse, far worse, has been the fate of the poor creatures, the natives of India, whom the hypocrisy of the company has betrayed into complaint of oppression, and discovery of peculation. The first women in Bengal, the ranny of Rajeshahi, the ranny of Burdwan, the ranny of Amboa, by their weak and thoughtless trust in the company's honour and protection, are utterly ruined: the first of these women, a person of princely rank, and once of correspondent fortune, who paid above two hundred thousand a year quit-rent to the state, is, according to very credible information, so completely beggared as to stand in need of the relief of alms. Mahomed Reza Khân, the second Mussulman in Bengal, for having been distinguished by the ill-omened honour of the counte-

nance and protection of the court of directors, was, without the pretence of any inquiry whatsoever into his conduct, stripped of all his employments, and reduced to the lowest condition. His ancient rival for power, the rajah Nundcomar, was, by an insult on every thing which India holds respectable and sacred, hanged in the face of all his nation, by the judges who sent to protect that people; hanged for a pretended crime, upon an *ex post facto* British act of parliament, in the midst of his evidence against Mr. Hastings. The accuser they saw hanged. The culprit, without acquittal or inquiry, triumphs on the ground of that murder: a murder not of Nundcomar only, but of all living testimony, and even of evidence yet unborn. From that time not a complaint has been heard from the natives against their governours. All the grievances of India have found a complete remedy.

Men will not look to acts of parliament, to regulations, to declarations, to votes, and resolutions. No, they are not such fools. They will ask, what is the road to power, credit, wealth, and honours? They will ask, what conduct ends in neglect, disgrace, poverty, exile, prison and gibbet? These will teach them the course which they are to follow. It is your distribution of these that will give the character and tone of your government. All the rest is miserable grimace.

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When I accuse the court of directors of this habitual treachery, in the use of reward and punishment, I do not mean to include all the individuals in that court. There have been, Sir, very frequently, men of the greatest integrity and virtue amongst them; and the contrariety in the declarations and conduct of that court has arisen, I take it, from this:—That the honest directors have, by the force of matter of fact on the records, carried the reprobation of the evil measures of the servants in India. This could not be prevented, whilst these records stared them in the face; nor were the delinquents, either here or there, very solicitous about their reputation, as long as they were able to secure their power. The agreement of their partisans to censure them, blunted for a while the edge of a severe proceeding. It obtained for them a character of impartiality, which enabled them to recommend, with some sort of grace, what will always carry a plausible appearance, those treacherous expedients, called moderate measures. Whilst these were under discussion, new matter of complaint came over, which seemed to antiquate the first. The same circle was here trod round once more; and thus through years they proceeded in a compromise of censure for punishment; until, by shame and despair, one after another, almost every man, who preferred his duty to the company to the interest of their servants, has been driven from that court.

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This, Sir, has been their constant aim; it has been the result of the alteration which was insensibly made in their constitution. The change was made insensibly: but it is now strong and adult, and as perfect and developed as it is ever beyond all power of reformation. So that there is none who hears me, that is not as certain as I am, that the company, in the sense in which it was formerly understood, has no existence. The question is not, what injury you may do to the proprietors of India stock: for there are no such men to be injured. If the active ruling part of the company who form the general court, who fill the offices, and direct the measures (the rest are for nothing) were persons who held their stock as a means of their subsistence, who in the part they took were only concerned in the government of India, for the rise or fall of their dividend, it would be indeed a defective plan of policy. The interest of the people who are governed by them would not be their primary object; perhaps a very small part of their consideration at all. But then they might well be depended on, and perhaps more than persons in other respects preferable, for preventing the peculation of their servants to their own prejudice. Such a body would not easily have left their trade as a spoil to the avarice of those who received their wages. But now things are totally reversed. The stock is of no value, whether

whether it be the qualification of a director or proprietor; and it is impossible that it should. A director's qualification may be worth about two thousand five hundred pounds—and the interest, at eight *per cent.* is about one hundred and sixty pounds a year. Of what value is that, whether it rise to ten, or fall to six, or to nothing, to him whose son, before he is in Bengal two months, and before he descends the steps of the council chamber, sells the grant of a single contract for forty thousand pounds? Accordingly the stock is bought up in qualifications. The vote is not to protect the stock, but the stock is bought to acquire the vote; and the end of the vote is to cover and support, against justice, some man of power who has made an obnoxious fortune in India; or to maintain in power those who are actually employing it in the acquisition of such a fortune; and to avail themselves in return of his patronage, that he may shower the spoils of the east, "barbarick pearl and gold," on them, their families, and dependents. So that all the relations of the company are not only changed, but inverted. The servants in India are not appointed by the directors, but the directors are chosen by them. The trade is carried on with their capitals. To them the revenues of the country are mortgaged. The seat of the supreme power is in Calcutta. The house in Leadenhall Street is nothing more than a change for their agents, factors, and deputies to

meet

meet in, to take care of their affairs, and support their interests; and this so avowedly, that we see the known agents of the delinquent servants marshalling and disciplining their forces, and the prime spokesmen in all their assemblies.

Every thing has followed in this order, and according to the natural train of events. I will close what I have to say on the incorrigible condition of the company, by stating to you a few facts that will leave no doubt of the obstinacy of that corporation, and of their strength too, in resisting the reformation of their servants. By these facts you will be enabled to discover the sole grounds upon which they are tenacious of their existence. It is now more than two years that, upon an account of the gross abuses and ruinous situation of the company's affairs (which occasioned the cry of the whole world long before it was taken up here) that we instituted two committees to inquire into the mismanagements by which the company's affairs had been brought to the brink of ruin. These inquiries had been pursued with unremitting diligence; and a great body of facts was collected and printed for general information. In the result of those inquiries, although the committees consisted of very different descriptions, they were unanimous. They joined in censuring the conduct of the Indian administration, and enforcing the responsibility upon two men, whom this

this house, in consequence of these reports, declared it to be the duty of the directors to remove from their stations, and recal to Great Britain, "*because they had acted in a manner repugnant to* "*the honour and policy of this nation, and thereby* "*brought great calamities on India, and enormous* "*expences on the East-India company.*"

Here was no attempt on the charter. Here was no question of their privileges. To vindicate their own honour, to support their own interests, to enforce obedience to their own orders; these were the sole object of the monitory resolution of this house. But as soon as the general court could assemble, they assembled to demonstrate who they really were. Regardless of the proceedings of this house, they ordered the directors not to carry into effect any resolution they might come to for the removal of Mr. Hastings and Mr. Hornby. The directors, still retaining some shadow of respect to this house, instituted an inquiry themselves, which continued from June to October; and after an attentive perusal and full consideration of papers, resolved to take steps for removing the persons who had been the objects of our resolution; but not without a violent struggle against evidence. Seven directors went so far as to enter a protest against the vote of their court. Upon this the general court takes the alarm; it re-assembles; it orders the directors to rescind their resolution, that is,

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not to recal Mr. Hastings and Mr. Hornby, and to despise the resolution of the house of commons. Without so much as the pretence of making out a single paper, without the formality of instituting any committee of inquiry, they superseded all the labours of their own directors, and of this house.

It will naturally occur to ask, how it was possible that they should not attempt some sort of examination into facts, as a colour for their resistance to a publick authority, proceeding so very deliberately; and exerted, apparently at least, in favour of their own? The answer, and the only answer which can be given, is, that they were afraid that their true relation should be mistaken. They were afraid that their patrons and masters in India should attribute their support of them to an opinion of their cause, and not to an attachment to their power. They were afraid it should be suspected, that they did not mean blindly to support them in the use they made of that power. They determined to shew that they at least were set against reformation; that they were firmly resolved to bring the territories, the trade, and the stock of the company, to ruin, rather than be wanting in fidelity to their nominal servants and real masters, in the ways they took to their private fortunes.

Even since the beginning of this session, the same act of audacity was repeated, with the same circum-

circumstances of contempt of all the decorum of inquiry on their part, and of all the proceedings of this house. They again made it a request to their favourite, and your culprit, to keep his post; and thanked and applauded him, without calling for a paper which could afford light into the merit or demerit of the transaction, and without giving themselves a moment's time to consider, or even to understand the articles of the Maratta peace. The fact is, that for a long time there was a struggle, a faint one indeed, between the company and their servants. But it is a struggle no longer. For some time the superiority has been decided. The interests abroad are become the settled preponderating weight both in the court of proprietors, and the court of directors. Even the attempt you have made to inquire into their practices and to reform abuses, has raised and piqued them to a far more regular and steady support. The company has made a common cause, and identified themselves, with the destroyers of India. They have taken on themselves all that mass of enormity; they are supporting what you have reprobated; those you condemn they applaud; those you order home to answer for their conduct, they request to stay, and thereby encourage to proceed in their practices. Thus the servants of the East-India company triumph, and the representatives of the people of Great Britain are defeated.

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I therefore conclude, what you all conclude, that this body being totally perverted from the purposes of its institution, is utterly incorrigible; and because they are incorrigible, both in conduct and constitution, power ought to be taken out of their hands; just on the same principles on which have been made all the just changes and revolutions of government that have taken place since the beginning of the world.

I will now say a few words to the general principle of the plan which is set up against that of my right honourable friend. It is to re-commit the government of India to the court of directors. Those who would commit the reformation of India to the destroyers of it, are the enemies to that reformation. They would make a distinction between directors and proprietors, which, in the present state of things, does not, cannot exist. But a right honourable gentleman says, he would keep the present government of India in the court of directors; and would, to curb them, provide salutary regulations;—wonderful! That is, he would appoint the old offenders to correct the old offences; and he would render the vicious and the foolish wise and virtuous, by salutary regulations. He would appoint the wolf as guardian of the sheep; but he has invented a curious muzzle, by which this protecting wolf shall not be able to open his jaws above an inch or two at the utmost.

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Thus his work is finished. But I tell the right honourable gentleman, that controuled depravity is not innocence; and that it is not the labour of delinquency in chains, that will correct abuses. Will these gentlemen of the direction animadvert on the partners of their own guilt? Never did a serious plan of amending of any old tyrannical establishment propose the authors and abettors of the abuses as the reformers of them. If the undone people of India see their old oppressors in confirmed power, even by the reformation, they will expect nothing but what they will certainly feel, a continuance, or rather an aggravation, of all their former sufferings. They look to the seat of power, and to the persons who fill it; and they despise those gentlemen's regulations as much as the gentlemen do who talk of them.

But there is a cure for every thing. Take away, say they, the court of proprietors, and the court of directors will do their duty. Yes; as they have done it hitherto. That the evils in India have solely arisen from the court of proprietors, is grossly false. In many of them, the directors were heartily concurring; in most of them, they were encouraging, and sometimes commanding; in all, they were conniving.

But who are to choose this well-regulated and reforming court of directors?—Why, the very proprietors who are excluded from all management,

ment, for the abuse of their power. They will choose, undoubtedly, out of themselves, men like themselves; and those who are most forward in resisting your authority, those who are most engaged in faction or interest with the delinquent abroad, will be the objects of their selection. But gentlemen say, that when this choice is made, the proprietors are not to interfere in the measures of the directors, whilst those directors are busy in the control of their common patrons and masters in India. No, Indeed, I believe they will not desire to interfere. They will choose those whom they know may be trusted, safely trusted, to act in strict conformity to their common principles, manners, measures, interests, and connections. They will want neither monitor nor control. It is not easy to choose men to act in conformity to a publick interest against their private: but a sure dependance may be had on those who are chosen to forward their private interest, at the expence of the publick. But if the directors should slip, and deviate into rectitude, the punishment is in the hands of the general court, and it will surely be remembered to them at their next election.

If the government of India wants no reformation; but gentlemen are amusing themselves with a theory, conceiving a more democratick or aristocratick mode of government for these dependancies, or if they are in a dispute only about patronage;

tronage; the dispute is with me of so little concern, that I should not take the pains to utter an affirmative or negative to any proposition in it. If it be only for a theoretical amusement that they are to propose a bill; the thing is at best frivolous and unnecessary. But if the company's government is not only full of abuse, but is one of the most corrupt and destructive tyrannies, that probably ever existed in the world, (as I am sure it is) what a cruel mockery would it be in me, and in those who think like me, to propose this kind of remedy for this kind of evil!

I now come to the third objection, That this bill will increase the influence of the crown. An honourable gentleman has demanded of me, whether I was in earnest when I proposed to this house a plan for the reduction of that influence. Indeed, Sir, I was much, very much, in earnest. My heart was deeply concerned in it; and I hope the publick has not lost the effect of it. How far my judgment was right, for what concerned personal favour and consequence to myself, I shall not presume to determine; nor is its effect upon *me* of any moment. But as to this bill, whether it increases the influence of the crown, or not, is a question I should be ashamed to ask. If I am not able to correct a system of oppression and tyranny, that goes to the utter ruin of thirty millions of my fellow-creatures and fellow-subjects, but by some increase

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to the influence of the crown, I am ready here to declare that I, who have been active to reduce it, shall be at least as active and strenuous to restore it again. I am no lover of names; I contend for the substance of good and protecting government, let it come from what quarter it will.

But I am not obliged to have recourse to this expedient. Much, very much the contrary. I am sure that the influence of the crown will by no means aid a reformation of this kind; which can neither be originated nor supported, but by the uncorrupt publick virtue of the representatives of the people of England. Let it once get into the ordinary course of administration, and to me all hopes of reformation are gone. I am far from knowing or believing, that this bill will increase the influence of the crown. We all know, that the crown has ever had some influence in the court of directors; and that it has been extremely increased by the acts of 1773 and 1780. The gentlemen who, as a part of their reformation, propose "a more active control on the part of the "crown," which is to put the directors under a secretary of state, specially named for that purpose, must know, that their project will increase it further. But that old influence has had, and the new will have, incurable inconveniences which cannot happen under the parliamentary establishment proposed in this bill. An honourable gentle-

man *, not now in his place, but who is well acquainted with the India company, and by no means a friend to this bill, has told you, that a ministerial influence has always been predominant in that body; and that to make the directors pliant to their purposes, ministers generally caused persons meanly qualified to be chosen directors. According to his idea, to secure subserviency, they submitted the company's affairs to the direction of incapacity. This was to ruin the company, in order to govern it. This was certainly influence in the very worst form in which it could appear. At best it was clandestine and irresponsible. Whether this was done so much upon system as that gentleman supposes, I greatly doubt. But such in effect the operation of government on that court unquestionably was; and such, under a similar constitution, it will be for ever. Ministers must be wholly removed from the management of the affairs of India, or they will have an influence in its patronage. The thing is inevitable. Their scheme of a new secretary of state, with a more vigorous "control," is not much better than a repetition of the measure which we know by experience will not do. Since the year 1773 and the year 1780, the company has been under the control of the secretary of state's office, and we had then three secretaries of state. If more than this is done, then they annihilate the direction which they pretend

* Governour Johnstone.

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to support; and they augment the influence of the crown, of whose growth they affect so great an horrour. But in truth this scheme of reconciling a direction really and truly deliberative, with an office really and substantially controlling, is a sort of machinery that can be kept in order but a very short time. Either the directors will dwindle into clerks, or the secretary of state, as hitherto has been the course, will leave every thing to them, often through design, often through neglect. If both should affect activity, collision, procrastination, delay, and in the end, utter confusion must ensue.

But, Sir, there is one kind of influence far greater than that of the nomination to office. This gentlemen in opposition have totally overlooked, although it now exists in its full vigour; and it will do so, upon their scheme, in at least as much force as it does now. That influence this bill cuts up by the roots: I mean the *influence of protection.* I shall explain myself:—The office given to a young man going to India is of trifling consequence. But he that goes out an insignificant boy, in a few years returns a great nabob. Mr. Hastings says he has two hundred and fifty of that kind of raw materials, who expect to be speedily manufactured into the merchantable quality I mention. One of these gentlemen, suppose, returns, hither, loaded with odium and with riches. When he

he comes to England, he comes as to a prison, or as to a sanctuary; and either is ready for him, according to his demeanour. What is the influence in the grant of any place in India, to that which is acquired by the protection or compromise with such guilt, and with the command of such riches, under the dominion of the hopes and fears which power is able to hold out to every man in that condition? That man's whole fortune, half a million perhaps, becomes an instrument of influence, without a shilling of charge to the civil list; and the influx of fortunes which stand in need of this protection is continual. It works both ways; it influences the delinquent, and it may corrupt the minister. Compare the influence acquired by appointing for instance even a governour general, and that obtained by protecting him. I shall push this no further. But I wish gentlemen to roll it a little in their own minds.

The bill before you cuts off this source of influence. It design and main scope is to regulate the administration of India upon the principles of a court of judicature; and to exclude, as far as human prudence can exclude, all possibility of a corrupt partiality, in appointing to office, or supporting in office, or covering from inquiry and punishment, any person who has abused or shall abuse his authority. At the board, as appointed and regulated by this bill, reward and punishment

cannot

cannot be shifted and reversed by a whisper. That commission becomes fatal to cabal, to intrigue, and to secret representation, those instruments of the ruin of India. He that cuts off the means of premature fortune, and the power of protecting it when acquired, strikes a deadly blow at the great fund, the bank, the capital stock of Indian influence, which cannot be vested any where, or in any hands, without most dangerous consequences to the publick.

The third and contradictory objection is, That this bill does not increase the influence of the crown. On the contrary, That the just power of the crown will be lessened, and transferred to the use of a party, by giving the patronage of India to a commisson nominated by parliament, and independent of the crown. The contradiction is glaring, and it has been too well exposed to make it necessary for me to insist upon it. But passing the contradiction, and taking it without any relation, of all objections that is the most extraordinary. Do not gentlemen know, that the crown has not at present the grant of a single office under the company, civil or military, at home or abroad? So far as the crown is concerned, it is certainly rather a gainer; for the vacant offices in the new commission are to be filled up by the king.

It is argued as a part of the bill, derogatory to the prerogatives of the crown, that the commis-

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sioners named in the bill are to continue for a short term of years, too short in my opinion; and because, during that time, they are not at the mercy of every predominant faction of the court. Does not this objection lie against the present directors; none of whom are named by the crown, and a proportion of whom hold for this very term of four years? Did it not lie against the governour general and council named in the act of 1773—who were invested by name, as the present commissioners are to be appointed in the body of the act of parliament, who were to hold their places for a term of terms, and were not removable at the discretion of the crown? Did it not lie against the re-appointment, in the year 1780, upon the very same terms? Yet at none of these times, whatever other objections the scheme might be liable to, was it supposed to be a derogation to the just prerogative of the crown, that a commission created by act of parliament should have its members named by the authority which called it into existence? This is not the the disposal by parliament of any office derived from the authority of the crown, or now disposable by that authority. It is so far from being any thing new, violent, or alarming, that I do not recollect, in any parliamentary commission, down to the commissioners of the land tax, that it has ever been otherwise.

The objection of the tenure for four years in an objection

objection to all places that are not held during pleasure; but in that objection I pronounce the gentlemen, from my knowledge of their complexion and of their principles, to be perfectly in earnest. The party (say these gentlemen) of the minister who proposes this scheme will be rendered powerful by it; for he will name his party friends to the commission. This objection against party is a party objection; and in this too these gentlemen are perfectly serious. They see that if, by any intrigue, they should succeed to office, they will lose the *clandestine* patronage, the true instrument of clandestine influence, enjoyed in the name of subservient directors, and of wealthy trembling Indian delinquents. But as often as they are beaten off this ground, they return to it again. The minister will name his friends, and persons of his own party. —Whom should he name? Should he name his adversaries? Should he name those whom he cannot trust? Should he name those to execute his plans, whom are the declared enemies to the principles of his reform? His character is here at stake. If he proposes for his own ends (but he never will propose) such names as, from their want of rank, fortune, character, ability, or knowledge, are likely to betray or to fall short of their trust, he is in an independent house of commons; in a house of commons which has, by its own virtue, destroyed

destroyed the instruments of parliamentary subservience. This house of commons would not endure the sound of such names. He would perish by the means which he is supposed to pursue for the security of his power. The first pledge he must give of his sincerity in this great reform, will be in the confidence which ought to be reposed in those names.

For my part, Sir, in this business I put all indirect considerations wholly out of my mind. My sole question, on each clause of the bill, amounts to this:—Is the measure proposed required by the necessities of India? I cannot consent totally to lose sight of the real wants of the people who are the objects of it, and to hunt after every matter of party squabble that may be started on the several provisions. On the question of the duration of the commission I am clear and decided. Can I, can any one who has taken the smallest trouble to be informed concerning the affairs of India, amuse himself with so strange an imagination, as that the habitual despotism and oppression, that the monopolies, the peculations, the universal destruction of all the legal authority of this kingdom, which have been for twenty years maturing to their present enormity, combined with the distance of the scene, the boldness and artifice of delinquents, their combination, their excessive wealth, and the

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faction they have made in England, can be fully corrected in a shorter term than four years? None has hazarded such an assertion—None, who has a regard for his reputation, will hazard it.

Sir, the gentlemen, whoever they are, who shall be appointed to this commission, have an undertaking of magnitude on their hands, and their stability must not only be, but it must be thought, real;—and who is it will believe, that any thing short of an establishment made, supported, and fixed in its duration, with all the authority of parliament, can be thought secure of a reasonable stability? The plan of my honourable friend is the reverse of that of reforming by the authors of the abuse. The best we could expect from them is, that they should not continue their ancient pernicious activity. To those we could think of nothing but applying *control;* as we are sure that even a regard to their reputation (if any such thing exists in them) would oblige them to cover, to conceal, to suppress, and consequently to prevent, all cure of the grievances of India. For what can be discovered, which is not to their disgrace? Every attempt to correct an abuse would be a satire on their former administration. Every man they should pretend to call to an account, would be found their instrument or their accomplice. They can never see a beneficial regulation, but with a view to defeat it. The shorter the tenure of

of such persons, the better would be the chance of some amendment.

But the system of the bill is different. It calls in persons in no wise concerned with any act censured by parliament; persons generated with, and for, the reform, of which they are themselves the most essential part. To these the chief regulations in the bill are helps, not fetters; they are authorities to support, not regulations to restrain them. From these we look for much more than innocence. From these we expect zeal, firmness, and unremitted activity. Their duty, their character, binds them to proceedings of vigour; and they ought to have a tenure in their office which precludes all fear, whilst they are acting up to the purposes of their trust; a tenure without which, none will undertake plans that require a series and system of acts. When they know that they cannot be whispered out of their duty, that their publick conduct cannot be censured without a publick discussion; that the schemes which they have begun will not be committed to those who will have an interest and credit in defeating and disgracing them? then we may entertain hopes. The tenure is for four years, or during their good behaviour. That good behaviour is as long as they are true to the principles of the bill; and the judgment is in either house of parliament. This is the tenure of your judges; and the valuable principle of the bill

bill is to make a judicial administration for India. It is to give confidence in the execution of a duty, which requires as much perseverance and fortitude as can fall to the lot of any that is born of woman.

As to the gain by party, from the right honourable gentleman's bill, let it be shewn, that this supposed party advantage is pernicious to its object, and the objection is of weight; but until this is done, and this has not been attempted, I shall consider the sole objection, from its tendency to promote the interest of a party, as altogether contemptible. The kingdom is divided into parties, and it ever has been so divided, and it ever will be so divided; and if no system for relieving the subjects of this kingdom from oppression, and snatching its affairs from ruin, can be adopted until it is demonstrated that no party can derive an advantage from it, no good can ever be done in this country. If party is to derive an advantage from the reform of India, (which is more than I know, or believe) it ought to be that party which alone, in this kingdom, has its reputation, nay its very being, pledged to the protection and preservation of that part of the empire. Great fear is expressed, that the commissioners named in this bill will shew some regard to a minister out of place. To men made like the objectors, this must appear criminal. Let it however be remembered

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by others, that if the commissioners should be his friends, they cannot be his slaves. But dependants are not in a condition to adhere to friends, nor to principles, nor to any uniform line of conduct. They may begin censors, and be obliged to end accomplices. They may be even put under the direction of those whom they were appointed to punish.

The fourth and last objection is, That the bill will hurt publick credit. I do not know whether this requires an answer. But if it does, look to your foundations. The sinking fund is the pillar of credit in this country; and let it not be forgot, that the distresses, owing to the mismanagement of the East India company, have already taken a million from that fund by the non-payment of duties. The bills drawn upon the company, which are about four millions, cannot be accepted without the consent of the treasury. The treasury, acting under a parliamentary trust and authority, pledges the publick for these millions. If they pledge the publick, the publick must have a security in its hands for the management of this interest, or the national credit is gone. For otherwise it is not only the East India company, which is a great interest, that is undone, but, clinging to the security of all your funds, it drags down the rest, and the whole fabrick perishes in one ruin. If this bill does not provide a direction of integrity and of ability competent

competent to that trust, the objection is fatal. If it does, publick credit must depend on the support of the bill.

It has been said, if you violate this charter, what security has the charter of the bank, in which publick credit is so deeply concerned, and even the charter of London, in which the rights of so many subjects are involved? I answer, In the like case they have no security at all—No—no security at all. If the bank should, by every species of mismanagement, fall into a state similar to that of the East India company; if it should be oppressed with demands it could not answer, engagements which it could not perform, and with bills for which it could not procure payment; no charter should protect the mismanagement from correction, and such publick grievances from redress. If the city of London had the means and will of destroying an empire, and of cruelly oppressing and tyrannizing over millions of men as good as themselves, the charter of the city of London should prove no sanction to such tyranny and such oppression. Charters are kept, when their purposes are maintained: they are violated, when the privilege is supported against its end and its object.

Now, Sir, I have finished all I proposed to say, as my reasons for giving my vote to this bill. If I am wrong, it is not for want of pains to know what is right. This pledge, at least, of my rectitude I have given to my country.

And

And now, having done my duty to the bill, let me say a word to the author. I should leave him to his own noble sentiments, if the unworthy and illiberal language with which he has been treated, beyond all example of parliamentary liberty, did not make a few words necessary; not so much in justice to him, as to my own feelings. I must say then, that it will be a distinction honourable to the age, that the rescue of the greatest number of the human race that ever were so grievously oppressed, from the greatest tyranny that was ever exercised, has fallen to the lot of abilities and dispositions equal to the task; that it has fallen to one who has the enlargement to comprehend, the spirit to undertake, and the eloquence to support, so great a measure of hazardous benevolence. His spirit is not owing to his ignorance of the state of men and things; he well knows what snares are spread about his path, from personal animosity, from court intrigues, and possibly from popular delusion. But he has put to hazard his ease, his security, his interest, his power, even his darling popularity, for the benefit of a people whom he has never seen. This is the road that all heroes have trod before him. He is traduced and abused for his supposed motives. He will remember, that obloquy is a necessary ingredient in the composition of all true glory: he will remember, that it was not only in the Roman customs, but it is in the nature and constitution of things, that calumny

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and abuse are essential parts of triumph. These thoughts will support a mind, which only exists for honour, under the burthen of temporary reproach. He is doing indeed a great good; such as rarely falls to the lot, and almost as rarely coincides with the desires, of any man. Let him use his time. Let him give the whole length of the reins to his benevolence. He is now on a great eminence, where the eyes of mankind are turned to him. He may live long, he may do much. But here is the summit. He never can exceed what he does this day.

He has faults; but they are faults that, though they may in a small degree tarnish the lustre, and sometimes impede the march of his abilities, have nothing in them to extinguish the fire of great virtues. In those faults, there is no mixture of deceit, of hypocrisy, of pride, of ferocity, of complexional despotism, or want of feeling for the distresses of mankind. His are faults which might exist in a descendant of Henry the Fourth of France, as they did exist in that father of his country. Henry the Fourth wished that he might live to see a fowl in the pot of every peasant in his kingdom. That sentiment of homely benevolence was worth all the splendid sayings that are recorded of kings. But he wished perhaps for more than could be obtained, and the goodness of the man exceeded the power of the king. But this

gentleman, a subject, may this day say this at least, with truth, that he secures the rice in his pot to every man in India. A poet of antiquity thought it one of the first distinctions to a prince whom he meant to celebrate, that through a long succession of generations, he had been the progenitor of an able and virtuous citizen, who by force of the arts of peace, had corrected governments of oppression, and suppressed wars of rapine.

Indole proh quanta juvenis, quantumque daturus
Ausoniæ populis, venturu in sæcula civem.
Ille super Gangem, super exauditus et Indos,
Implebit terras voce; et furialia bella
Fulmine compeseet linguæ.——

This was what was said of the predecessor of the only person to whose eloquence it does not wrong that of the mover of this bill to be compared. But the Ganges and the Indus are the patrimony of the fame of my honourable friend, and not of Cicero. I confess, I anticipate with joy the reward of those, whose whole consequence, power, and authority, exist only for the benefit of mankind; and I carry my mind to all the people, and all the names and descriptions, that, relieved by this bill, will bless the labours of this parliament, and the confidence which the best house of commons has given to him who the best deserves it. The little cavils of party will not be heard, where freedom

and

and happiness will be felt. There is not a tongue, a nation, or religion in India, which will not bless the presiding care and manly beneficence of this house, and of him who proposes to you this great work. Your names will never be separated before the throne of the Divine Goodness, in whatever language, or with whatever rights, pardon is asked for sin, and reward for those who imitate the Godhead in his universal bounty to his creatures. These honours you deserve, and they will surely be paid, when all the jargon of influence, and party, and patronage, are swept into oblivion.

I have spoken what I think, and what I feel, of the mover of this bill. An honourable friend of mine, speaking of his merits, was charged with having made a studied panegyrick. I don't know what his was. Mine, I am sure, is a studied panegyrick; the fruit of much meditation; the result of the observation of near twenty years. For my own part, I am happy that I have lived to see this day; I feel myself overpaid for the labours of eighteen years, when, at this late period, I am able to take my share, by one humble vote, in destroying a tyranny that exists to the disgrace of this nation, and the destruction of so large a part of the human species.

A

REPRESENTATION

TO

HIS MAJESTY,

MOVED IN

THE HOUSE OF COMMONS,

BY THE

RIGHT HON. EDMUND BURKE,

AND SECONDED BY

WILLIAM WINDHAM, ESQ.

On Monday, June 14, 1784, and negatived.

WITH

A PREFACE AND NOTES.

PREFACE.

THE representation now given to the publick relates to some of the most essential privileges of the house of commons. It would appear of little importance, if it were to be judged by its reception in the place where it was proposed. There it was rejected without debate. The subject matter may, perhaps, hereafter appear to merit a more serious consideration. Thinking men will scarcely regard the *penal* dissolution of a parliament as a very trifling concern. Such a dissolution must operate forcibly as an example; and it much imports the people of this kingdom to consider what lesson that example is to teach.

The late house of commons was not accused of an interested compliance to the will of a court. The charge against them was of a different nature. They were charged with being actuated by an extravagant spirit of independency. This species of offence is so closely connected with merit; this vice bears so near a resemblance to virtue; that the flight of a house of commons above the exact temperate medium of independence, ought to

be

be correctly ascertained, lest we give encouragement to dispositions of a less generous nature, and less safe for the people; we ought to call for very solid and convincing proofs of the existence, and of the magnitude too of the evils, which are charged to an independent spirit, before we give sanction to any measure, that by checking a spirit so easily damped, and so hard to be excited, may affect the liberty of a part of our constitution, which, if not free, is worse than useless.

The Editor does not deny, that by possibility such an abuse may exist: but *primâ fronte*, there is no reason to presume it. The house of commons is not, by its complexion, peculiarly subject to the distempers of an independent habit. Very little compulsion is necessary on the part of the people, to render it abundantly complaisant to ministers and favourites of all descriptions. It required a great length of time, very considerable industry and perseverance, no vulgar policy, the union of many men and many tempers, and the concurrence of events which do not happen every day, to build up an independent house of commons. Its demolition was accomplished in a moment; and it was the work of ordinary hands. But to construct is a matter of skill; to demolish, force and fury are sufficient.

The late house of commons has been punished for its independence. That example is made.

Have

Have we an example on record, of a house of commons punished for its servility? The rewards of a senate so disposed, are manifest to the world. Several gentlemen are very desirous of altering the constitution of the house of commons: but they must alter the frame and constitution of human nature itself, before they can so fashion it by any mode of election, that its conduct will not be influenced by reward and punishment; by fame, and by disgrace. If these examples take root in the minds of men, what members hereafter will be bold enough not to be corrupt? Especially as the king's high-way of obsequiousness is so very broad and easy. To make a passive member of parliament, no dignity of mind, no principles of honour, no resolution, no ability, no industry, no learning, no experience are in the least degree necessary. To defend a post of importance against a powerful enemy, requires an Elliot; a drunken invalid is qualified to hoist a white flag, or to deliver up the keys of the fortress on his knees.

The gentlemen chosen into this parliament, for the purpose of this surrender, were bred to better things; and are no doubt qualified for other service. But for this strenuous exertion of inactivity, for the vigorous task of submission and passive obedience, all their learning and ability are rather a matter of personal ornament to themselves, than

than of the least use in the performance of their duty.

The present surrender, therefore, of rights and privileges, without examination, and the resolution to support any minister given by the secret advisers of the crown, determines not only on all the power and authority of the house, but it settles the character and description of the men who are to compose it; and perpetuates that character as long as it may be thought expedient to keep up a phantom of popular representation.

It is for the chance of some amendment before this new settlement takes a permanent form, and while the matter is yet soft and ductile, that the Editor has republished this piece, and added some notes and explanations to it. His intentions, he hopes, will excuse him to the original mover, and to the world. He acts from a strong sense of the incurable ill effects of holding out the conduct of the late house of commons, as an example to be shunned by future representatives of the people.

MOTION

MOTION

RELATIVE TO THE

SPEECH FROM THE THRONE.

Lunæ, 14° Die Junij, 1784.

A MOTION was made, That a representation be presented to his majesty, most humbly to offer to his royal consideration, that the address of this house, upon his majesty's speech from the throne, was dictated solely by our conviction of his majesty's own most gracious intentions towards his people, which, as we feel with gratitude, so we are ever ready to acknowledge with chearfulness and satisfaction.

Impressed with these sentiments, we were willing to separate from our general expressions of duty, respect, and veneration to his majesty's royal person and his princely virtues, all discussion whatever, with relation to several of the matters suggested, and several of the expressions employed in that speech,

That

That it was not fit or becoming, that any decided opinion should be formed by his faithful commons, on that speech, without a degree of deliberation adequate to the importance of the object. Having afforded ourselves due time for that deliberation, we do now most humbly beg leave to represent to his majesty, that, in the speech from the throne, his ministers have thought proper to use a language of a very alarming import, unauthorized by the practice of good times, and irreconcileable to the principles of this government.

Humbly to express to his majesty, that it is the privilege and duty of this house to guard the constitution from all infringement on the part of ministers; and whenever the occasion requires it, to warn them against any abuse of the authorities committed to them: but it is very lately *, that in a manner not more unseemly than irregular and preposterous, ministers have thought proper, by admonition from the throne, implying distrust and reproach, to convey the expectations of the people to us, their sole representatives †; and have

* See King's Speech, Dec. 5, 1782, and May 19, 1784.

† "I will never submit to the doctrines I have heard this day from the woolsack, that the other house [house of commons] are the only representatives and guardians of the people's rights; I boldly maintain the contrary—I say this house [house of lords] *is equally the representatives of the people.*" *Lord Shelburne's speech, April* 8, 1778. *Vide Parliamentary Register*, vol. 10, page 392.

presumed

presumed to caution us, the natural guardians of the constitution, against any infringement of it on our parts.

This dangerous innovation we, his faithful commons, think it our duty to mark; and as these admonitions from the throne, by their frequent repetition, seem intended to lead gradually to the establishment of an usage, we hold ourselves bound thus solemnly to protest against them.

This house will be, as it ever ought to be, anxiously attentive to the inclinations and interests of its constituents: nor do we desire to straiten any of the avenues to the throne, or to either house of parliament. But the ancient order, in which the rights of the people have been exercised, is not a restriction of these rights. It is a method providently framed in favour of those privileges, which it preserves and enforces by keeping in that course which has been found the most effectual for answering their ends. His majesty may receive the opinions and wishes of individuals under their signatures, and of bodies corporate under their seals, as expressing their own particular sense: and he may grant such redress as the legal powers of the crown enable the crown to afford. This, and the other house of parliament, may also receive the wishes of such corporations and individuals by petition. The collective sense of his people his majesty is to receive from his commons in parliament

ment assembled. It would destroy the whole spirit of the constitution, if his commons were to receive that sense from the ministers of the crown, or to admit them to be a proper or a regular channel for conveying it.

That the ministers in the said speech declare, "His majesty has a just and confident reliance, "that we (his faithful commons) are animated "with the same sentiments of loyalty, and the "same attachment to our excellent constitution, "which we had the happiness to see so fully mani-"fested in every part of the kingdom."

To represent, that his faithful commons have never failed in loyalty to his majesty. It is new to them to be reminded of it. It is unnecessary and invidious to press it upon them by any example. This recommendation of loyalty, after his majesty has sat for so many years, with the full support of all descriptions of his subjects, on the throne of this kingdom, at a time of profound peace, and without any pretence of the existence or apprehension of war or conspiracy, becomes in itself a source of no small jealousy to his faithful commons; as many circumstances lead us to apprehend that therein the ministers have reference to some other measures and principles of loyalty, and to some other ideas of the constitution, than the laws require, or the practice of parliament will admit.

No regular communication of the proofs of loyalty and attachment to the constitution, alluded to in the speech from the throne, have been laid before this house, in order to enable us to judge of the nature, tendency, or occasion of them; or in what particular acts they were displayed; but if we are to suppose the manifestations of loyalty (which are held out to us as an example for imitation) consist in certain addresses delivered to his majesty, promising support to his majesty in the exercise of his prerogative, and thanking his majesty for removing certain of his ministers, on account of the votes they have given upon bills depending in parliament,—if this be the example of loyalty alluded to in the speech from the throne, then we must beg leave to express our serious concern for the impression which has been made on any of our fellow-subjects by misrepresentations, which have seduced them into a seeming approbation of proceedings subversive of their own freedom. We conceive, that the opinions delivered in these papers were not well considered; nor were the parties duly informed of the nature of the matters on which they were called to determine, nor of those proceedings of parliament which they were led to censure.

We shall act more advisedly.—The loyalty we shall manifest will not be the same with theirs; but, we trust, it will be equally sincere, and more enlightened.

enlightened. It is no slight authority which shall persuade us (by receiving as proofs of loyalty the mistaken principles lightly taken up in these addresses) obliquely to criminate, with the heavy and ungrounded charge of disloyalty and disaffection, an uncorrupt, independent, and reforming parliament*. Above all, we shall take care that none of

* In that parliament the house of commons by two several resolutions put an end to the American war. Immediately on the change of ministry, which ensued, in order to secure their own independence, and to prevent the accumulation of new burthens on the people by the growth of a civil list debt, they passed the establishment bill. By that bill thirty-six offices tenable by members of parliament were suppressed; and an order of payment was framed, by which the growth of any fresh debt was rendered impracticable. The debt on the civil list from the beginning of the present reign had amounted to one million three hundred thousand pounds and upwards. Another act was passed for regulating the office of the paymaster-general, and the offices subordinate to it. A million of publick money had sometimes been in the hands of the paymasters: this act prevented the possibility of any money whatsoever being accumulated in that office in future. The offices of the exchequer, whose emoluments in time of war were excessive, and grew in exact proportion to the publick burthens, were regulated; some of them suppressed, and the rest reduced to fixed salaries. To secure the freedom of election against the crown, a bill was passed to disqualify all officers concerned in the collection of the revenue in any of its branches from voting in elections; a most important act, not only with regard to its primary object, the freedom of election, but as materially forwarding the due collection of revenue. For the same end, (the preserving the freedom of election) the house rescinded the

of the rights and privileges, always claimed, and since the accession of his majesty's illustrious family constantly exercised by this house (and which we hold and exercise in trust for the commons of Great Britain, and for their benefit) shall be constructively surrendered, or even weakened and impaired under ambiguous phrases, and implications of censure on the late parliamentary proceedings. If these claims are not well-founded, they ought to be honestly abandoned; if they are just, they ought to be steadily and resolutely maintained.

Of his majesty's own gracious disposition towards the true principles of our free constitution, his faithful commons never did, or could entertain a doubt: but we humbly beg leave to express

the famous judgment relative to the Middlesex election, and expunged it from the journals. On the principle of reformation of their own house, connected with a principle of publick œconomy, an act passed for rendering contractors with government incapable of a seat in parliament. The India Bill, (unfortunately lost in the house of lords) pursued the same idea to its completion; and disabled all servants of the East India company from a seat in that house for a certain time, and until their conduct was examined into and cleared. The remedy of infinite corruptions and of infinite disorders and oppressions, as well as the security of the most important objects of publick œconomy, perished with that bill and that parliament. That parliament also instituted a committee to inquire into the collection of the revenue in all its branches, which prosecuted its duty with great vigour; and suggested several material improvements.

to his majesty our uneasiness concerning other new and unusual expressions of his ministers, declaratory of a resolution "to support in their *just* "*balance*, the rights and privileges of every branch "of the legislature."

It were desirable that all hazardous theories concerning a balance of rights and privileges (a mode of expression wholly foreign to parliamentary usage) might have been forborne. His majesty's faithful commons are well instructed in their own rights and privileges, which they are determined to maintain on the footing upon which they were handed down from their ancestors: they are not unacquainted with the rights and privileges of the house of peers; and they know and respect the lawful prerogatives of the crown: but they do not think it safe to admit any thing concerning the existence of a balance of those rights, privileges, and prerogatives; nor are they able to discern to what objects ministers would apply their fiction of balance; nor what they would consider as a just one. These unauthorized doctrines have a tendency to stir improper discussions; and to lead to mischievous innovations in the constitution *.

That

* If these speculations are let loose, the house of lords may quarrel with their share of the legislature, as being limited with regard to the origination of grants to the crown and the origination of money bills. The advisers of the crown may think prope-

That his faithful commons most humbly recommend, instead of the inconsiderate speculations of unexperienced men, that on all occasions, resort

proper to bring its negative into ordinary use; and even to dispute, whether a mere negative, compared with the deliberative power, exercised in the other houses, be such a share in the legislature, as to produce a due balance in favour of that branch; and thus justify the previous interference of the crown, in the manner lately used. The following will serve to shew how much foundation there is for great caution, concerning these novel speculations. Lord Shelburne, in his celebrated speech, April 8th, 1778, expresses himself as follows: Vide *Parliamentary Register*, vol. x.

"The noble and learned lord on the woolsack, in the debate which opened the business of this day, asserted that "your lordships were incompetent to make any alteration in "a money bill, or a bill of supply. I should be glad to see "the matter fully and fairly discussed, and the subject brought "forward and argued upon precedent, as well as all its col- "lateral relations. I should be pleased to see the question "fairly committed, were it for no other reason, but to hear "the sleek smooth contractors from the other house, come to "this bar and declare, that they, and they only, *could frame* "*a money bill;* and they, and they *only*, could dispose of the "*property of the peers of Great Britain.* Perhaps some argu- "ments more plausible than those I heard this day from the "woolsack, to shew that the commons have an uncontrolable, "unqualified right, to bind your lordships' property, may be "urged by them. At present, I beg leave to differ from the "noble and learned lord; for until the claim, after a solemn "discussion of the house, is openly and directly relinquished, "I shall continue to be of opinion, that your lordships have "a right to *alter, amend*, or reject a money bill."

resort should be had to the happy practice of parliament, and to those solid maxims of government which have prevailed since the accession of his majesty's illustrious family, as furnishing the only safe principles on which the crown and parliament can proceed.

We think it the more necessary to be cautious on this head, as, in the last parliament, the present ministers had thought proper to countenance, if not to suggest, an attack upon the most clear and undoubted rights and privileges of this house*.

Fearing

The duke of Richmond also, in his letter to the volunteers of Ireland, speaks of several of the powers exercised by the house of commons, in the light of usurpations: and his grace is of opinion, that when the people are restored to what he conceives to be their rights, in electing the house of commons, the other branches of the legislature ought to be restored to theirs. Vide *Remembrancer*, vol. xvi.

* By an act of parliament, the directors of the East India company are restrained from acceptance of bills drawn from India, beyond a certain amount, without the consent of the commissioners of the treasury. The late house of commons finding bills to an immense amount, drawn upon that body by their servants abroad, and knowing their circumstances to be exceedingly doubtful, came to a resolution providently cautioning the lords of the treasury against the acceptance of these bills, until the house should otherwise direct. The court lords then took occasion to declare against the resolution as illegal, by the commons undertaking to direct in the execution of a trust created by act of parliament. The house justly alarmed at this resolution, which went to the destruction

Fearing, from these extraordinary admonitions, and from the new doctrines, which seem to have dictated several unusual expressions, that his majesty has been abused by false representations of the late proceedings in parliament, we think it our duty respectfully to inform his majesty, that no attempt whatever has been made against his lawful prerogatives, or against the rights and privileges of the peers, by the late house of commons, in any of their addresses, votes, or resolutions: neither do we know of any proceeding by bill, in which it was proposed to abridge the extent of his royal prerogative: but, if such provision had existed in any bill, we protest, and we declare, against all speeches, acts or addresses, from any persons whatsoever, which have a tendency to consider such bills, or the persons concerned in them, as just objects of any kind of censure and punishment from the throne. Necessary reformations may hereafter require, as they have frequently done in former times, limitations and abridgments, and

tion of the whole of its superintending capacity, and particularly in matters relative to its own province of money, directed a committee to search the journals, and they found a regular series of precedents, commencing from the remotest of those records, and carried on to that day, by which it appeared, that the house interfered by an authoritative advice and admonition, upon every act of executive government without exception; and in many much stronger cases than that which the lords thought proper to quarrel with.

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in some cases an entire extinction of some branch of prerogative. If bills should be improper in the form in which they appear in the house where they originate, they are liable, by the wisdom of this constitution, to be corrected, and even to be totally set aside, elsewhere. This is the known, the legal, and the safe remedy: but whatever, by the manifestation of the royal displeasure, tends to intimidate individual members from proposing, or this house from receiving, debating, and passing bills, tends to prevent even the beginning of every reformation in the state; and utterly destroys the deliberative capacity of parliament.—We therefore claim, demand, and insist upon it, as our undoubted right, that no persons shall be deemed proper objects of animadversion by the crown, in any mode whatever, for the votes which they give, or the propositions which they make, in parliament.

We humbly conceive, that besides its share of the legislative power, and its right of impeachment, that by the law and usage of parliament, this house has other powers and capacities, which it is bound to maintain. This house is assured, that our humble advice on the exercise of prerogative will be heard with the same attention with which it has ever been regarded; and that it will be followed by the same effects which it has ever produced, during the happy and glorious reigns of

of his majesty's royal progenitors; not doubting but that, in all those points, we shall be considered as a council of wisdom and weight to advise, and not merely as an accuser of competence to criminate*. This house claims both capacities; and we trust that we shall be left to our free discretion which of them we shall employ as best calculated for his majesty's, and the national service.—Whenever we shall see it expedient to offer our advice concerning his majesty's servants, who are those of the publick, we confidently hope, that the personal favour of any minister, or any set of ministers, will not be more dear to his majesty, than the credit and character of a house of commons. It is an experiment full of peril to put the representative wisdom and justice of his majesty's people in the wrong; it is a crooked and desperate design, leading to mischief, the extent of which no human wisdom can foresee, to attempt to form a prerogative party in the nation, to be resorted to as occasion shall require, in derogation from the authority of the commons of Great Britain in parliament assembled: it is a contrivance full of danger, for ministers to set up the representative and

* "I observe at the same time, that there is *no charge or complaint* suggested against my present ministers."—*The king's answer, 25th February* 1784, *to the address of the house of commons.* Vide *Resolutions of the House of Commons, printed for Debrett*, p. 31.

constituent

constituent bodies of the commons of this kingdom as two separate and distinct powers, formed to counterpoise each other, leaving the preference in the hands of secret advisers of the crown. In such a situation of things, these advisers, taking advantage of the differences which may accidentally arise, or may purposely be fomented between them, will have it in their choice to resort to the one or the other, as may best suit the purposes of their sinister ambition. By exciting an emulation and contest between the representative and the constituent bodies, as parties contending for credit and influence at the throne, sacrifices will be made by both; and the whole can end in nothing else than the destruction of the dearest rights and liberties of the nation. If there must be another mode of conveying the collective sense of the people to the throne than that by the house of commons, it ought to be fixed and defined, and its authority ought to be settled: it ought not to exist in so precarious and dependent a state as that ministers should have it in their power, at their own mere pleasure, to acknowledge it with respect, or to reject it with scorn.

It is the undoubted prerogative of the crown to dissolve parliament; but we beg leave to lay before his majesty, that it is, of all the trusts vested in his majesty, the most critical and delicate, and that in which this house has the most reason

to

to require, not only the good faith, but the favour of the crown. His commons are not always upon a par with his ministers in an application to popular judgment: it is not in the power of the members of this house to go to their election at the moment the most favourable of them. It is in the power of the crown to choose a time for their dissolution whilst great and arduous matters of state and legislation are depending, which may be easily misunderstood, and which cannot be fully explained before that misunderstanding may prove fatal to the honour that belongs, and to the consideration that is due, to members of parliament.

With his majesty is the gift of all the rewards, the honours, distinctions, favour, and graces of the state; with his majesty is the mitigation of all the rigours of the law; and we rejoice to see the crown possessed of trusts calculated to obtain good-will, and charged with duties which are popular and pleasing. Our trusts are of a different kind. Our duties are harsh and invidious in their nature; and justice and safety is all we can expect in the exercise of them. We are to offer salutary, which is not always pleasing, counsel; we are to inquire and to accuse: and the objects of our inquiry and charge will be for the most part persons of wealth, power, and extensive connections: we are to make rigid laws for the preservation of revenue, which of necessity more or less confine

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some action, or restrain some function, which before was free: what is the most critical and invidious of all, the whole body of the publick impositions originate from us, and the hand of the house of commons is seen and felt in every burthen that presses on the people. Whilst, ultimately, we are serving them, and in the first instance whilst we are serving his majesty, it will be hard, indeed, if we should see a house of commons the victim of its zeal and fidelity, sacrificed by his ministers to those very popular discontents which shall be excited by our dutiful endeavours for the security and greatness of his throne. No other consequence can result from such an example, but that, in future, the house of commons, consulting its safety at the expence of its duties, and suffering the whole energy of the state to be relaxed, will shrink from every service, which, however necessary, is of a great and arduous nature; or that, willing to provide for the publick necessities, and, at the same time, to secure the means of performing that task, they will exchange independence for protection, and will court a subservient existence through the favour of those ministers of state, or those secret advisers, who ought themselves to stand in awe of the commons of this realm.

A house of commons, respected by his ministers, is essential to his majesty's service: it is fit that they should yield to parliament, and not that

parliament

parliament should be new modelled until it is fitted to their purposes. If our authority is only to be held up when we coincide in opinion with his majesty's advisers, but is to be set at nought the moment it differs from them, the house of commons will sink into a mere appendage of administration; and will lose that independent character which, inseparably connecting the honour and reputation with the acts of this house, enables us to afford a real, effective, and substantial support to his government. It is the deference shewn to our opinion, when we dissent from the servants of the crown, which alone can give authority to the proceedings of this house, when it concurs with their measures.

That authority once lost, the credit of his majesty's crown will be impaired in the eyes of all nations. Foreign powers, who may yet wish to revive a friendly intercourse with this nation, will look in vain for that hold which gave a connection with Great Britain the preference to an alliance with any other state. A house of commons, of which ministers were known to stand in awe, where every thing was necessarily discussed, on principles fit to be openly and publickly avowed, and which could not be retracted or varied without danger, furnished a ground of confidence in the publick faith, which the engagement of no state dependent on the fluctuation of personal favour,

vour, and private advice, can ever pretend to. If faith with the house of commons, the grand security for the national faith itself, can be broken with impunity, a wound is given to the political importance of Great Britain, which will not easily be healed.

That there was a great variance between the late house of commons and certain persons, whom his majesty has been advised to make and continue as ministers, in defiance of the advice of that house, is notorious to the world. That house did not confide in those ministers; and they withheld their confidence from them for reasons for which posterity will honour and respect the names of those who composed that house of commons, distinguished for its independence. They could not confide in persons who have shewn a disposition to dark and dangerous intrigues. By these intrigues they have weakened, if not destroyed, the clear assurance which his majesty's people, and which all nations ought to have, of what are, and what are not, the real acts of his government.

If it should be seen that his ministers may continue in their offices, without any signification to them of his majesty's displeasure at any of their measures, whilst persons considerable for their rank, and known to have had access to his majesty's sacred person, can with impunity abuse that advantage, and employ his majesty's name to disavow

avow and counteract the proceedings of his official servants, nothing but distrust, discord, debility, contempt of all authority, and general confusion, can prevail in his government.

This we lay before his majesty, with humility and concern, as the inevitable effect of a spirit of intrigue in his executive government; an evil which we have but too much reason to be persuaded exists and increases. During the course of the last session it broke out in a manner the most alarming. This evil was infinitely aggravated by the unauthorized, but not disavowed use which has been made of his majesty's name, for the purpose of the most unconstitutional, corrupt, and dishonourable influence on the minds of the members of parliament, that ever was practised in this kingdom. No attention, even to the exterior decorum, in the practice of corruption, and intimidation employed on peers, was observed: several peers were obliged under menaces to retract their declarations, and to recall their proxies.

The commons have the deepest interest in the purity and integrity of the peerage. The peers dispose of all the property in the kingdom, in the last resort; and they dispose of it on their honour and not on their oaths, as all the members of every other tribunal in the kingdom must do; though in them the proceeding is not conclusive. We have, therefore, a right to demand that no application

application shall be made to peers of such a nature as may give room to call in question, much less to attaint, our sole security for all that we possess. This corrupt proceeding appeared to the house of commons, who are the natural guardians of the purity of parliament, and of the purity of every branch of judicature, a most reprehensible and dangerous practice, tending to shake the very foundation of the authority of the house of peers; and they branded it as such by their resolution.

The house had not sufficient evidence to enable them legally to punish this practice, but they had enough to caution them against all confidence in the authors and abettors of it. They performed their duty in humbly advising his majesty against the employment of such ministers; but his majesty was advised to keep those ministers, and to dissolve that parliament. The house, aware of the importance and urgency of its duty with regard to the British interests in India, which were and are in the utmost disorder, and in the utmost peril, most humbly requested his majesty not to dissolve the parliament during the course of their very critical proceedings on that subject. His majesty's gracious condescension to that request was conveyed in the royal faith, pledged to a house of parliament, and solemnly delivered from the throne. It was but a very few days after a committee had been, with the consent and concur-

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rence of the chancellor of the exchequer, appointed for an inquiry into certain accounts delivered to the house by the court of directors, and then actually engaged in that inquiry, that the ministers, regardless of the assurance given from the crown to a house of commons, did dissolve that parliament. We most humbly submit to his majesty's consideration the consequences of this their breach of publick faith.

Whilst the members of the house of commons, under that security, were engaged in his majesty's and the national business, endeavours were industriously used to calumniate those whom it was found impracticable to corrupt. The reputation of the members, and the reputation of the house itself, was undermined in every part of the kingdom.

In the speech from the throne relative to India, we are cautioned by the ministers, "not to lose "sight of the effect any measure may have on the "constitution of our country." We are apprehensive that a calumnious report spread abroad of an attack upon his majesty's prerogative by the late house of commons, may have made an impression on his royal mind, and have given occasion to this unusual admonition to the present. This attack is charged to have been made in the late parliament, by a bill which passed the house of commons in the late session of that parliament,

for the regulation of the affairs, for the preservation of the commerce, and for the amendment of the government of this nation, in the East Indies.

That his majesty and his people may have an opportunity of entering into the ground of this injurious charge, we beg leave humbly to acquaint his majesty, that, far from having made any infringement whatsoever on any part of his royal prerogative, that bill did, for a limited time, give to his majesty certain powers never before possessed by the crown; and for this his present ministers (who, rather than fall short in the number of their calumnies, employ some that are contradictory) have slandered this house, as aiming at the extension of an unconstitutional influence in his majesty's crown. This pretended attempt to increase the influence of the crown, they were weak enough to endeavour to persuade his majesty's people was amongst the causes which excited his majesty's resentment against his late ministers.

Further, to remove the impressions of this calumny concerning an attempt in the house of commons against his prerogative, it is proper to inform his majesty, that the territorial possessions in the East Indies never have been declared, by any publick judgment, act, or instrument, or any resolution of parliament whatsoever, to be the subject matter of his majesty's prerogative; nor have they ever been understood as belonging to his ordinary administration,

administration, or to be annexed or united to his crown; but that they are acquisitions of a new and peculiar description*, unknown to the ancient executive constitution of this country.

From time to time, therefore, parliament provided for their government according to its discretion, and to its opinion of what was required

* The territorial possessions in the East Indies were acquired to the company, in virtue of grants from the Great Mogul, in the nature of offices and jurisdictions, to be held under *him*, and dependent upon *his* crown; with the express condition of being obedient to orders from *his* court, and of paying an annual tribute to *his* treasury. It is true that no obedience is yielded to these orders; and for some time past there has been no payment made of this tribute. But is under a grant, so conditioned, that they still hold. To subject the king of Great Britain as tributary to a foreign power, by the acts of his subjects—to suppose the grant valid, and yet the condition void—to suppose it good for the king, and insufficient for the company—to suppose it an interest divisible between the parties;—these are some few of the many legal difficulties to be surmounted, before the common law of England can acknowledge the East India company's Asiatic affairs to be a subject matter of *prerogative*, so as to bring it within the verge of English jurisprudence. It is a very anomalous species of power and property which is held by the East India company. Our English prerogative law does not furnish principles, much less precedents, by which it can be defined or adjusted. Nothing but the eminent dominion of parliament over every British subject in every concern, and in every circumstance in which he is placed, can adjust this new intricate matter. Parliament may act wisely or unwisely, justly or unjustly; but parliament alone is competent to it.

by the publick necessities. We do not know that his majesty was entitled, by prerogative, to exercise any act of authority whatsoever in the company's affairs, or that in effect, such authority has ever been exercised. His majesty's patronage was not taken away by that bill; because it is notorious that his majesty never originally had the appointment of a single officer, civil or military, in the company's establishment in India; nor has the least degree of patronage ever been acquired to the crown in any other manner or measure, than as the power was thought expedient to be granted by act of parliament; that is, by the very same authority by which the offices were disposed of and regulated in the bill, which his majesty's servants have falsely and injuriously represented as infringing upon the prerogative of the crown.

Before the year 1773 the whole administration of India, and the whole patronage to office there, was in the hands of the East India company. The East India company is not a branch of his majesty's prerogative administration, nor does that body exercise any species of authority under it, nor indeed from any British title, that does not derive all its legal validity from acts of parliament.

When a claim was asserted to the India territorial possessions in the occupation of the company, these possessions were not claimed as parcel of his majesty's patrimonial estate, or as a fruit of the

ancient

ancient inheritance of his crown. They were claimed for the publick. And when agreements were made with the East India company concerning any composition for the holding, or any participation of the profits of those territories, the agreement was made with the publick, and the preambles of the several acts have uniformly so stated it. These agreements were not made (even nominally) with his majesty, but with parliament; and the bills making and establishing such agreements always originated in this house, which appropriated the money to await the disposition of parliament, without the ceremony of previous consent from the crown even so much as suggested by any of his ministers; which previous consent is an observance of decorum, not indeed of strict right, but generally paid when a new appropriation takes place in any part of his majesty's prerogative revenues.

In pursuance of a right thus uniformly recognised, and uniformly acted on, when parliament undertook the reformation of the East India company in 1773, a commission was appointed as the commission in the late bill was appointed; and it was made to continue for a terms of years, as the commission in the late bill was to continue; all the commissioners were named in parliament, as in the late bill they were named. As they received, so they held their offices, wholly indepen-

dent of the crown; they held them for a fixed term; they were not removeable by an address of either house, or even of both houses of parliament, a precaution observed in the late bill, relative to the commissioners proposed therein; nor were they bound by the strict rules of proceeding which regulated and restrained the late commissioners against all possible abuse of a power which could not fail of being diligently and zealously watched by the ministers of the crown, and the proprietors of the stock, as well as by parliament. Their proceedings were, in that bill, directed to be of such a nature as easily to subject them to the strictest revision of both, in case of any malversation.

In the year 1780, an act of parliament again made provision for the government of those territories for another four years, without any sort of reference to prerogative; nor was the least objection taken at the second, more than at the first of those periods, as if an infringement had been made upon the rights of the crown; yet his majesty's ministers have thought fit to represent the late commission as an entire innovation on the constitution, and the setting up a new order and estate in the nation, tending to the subversion of the monarchy itself.

If the government of the East Indies, other than by his majesty's prerogative, be, in effect, a fourth

fourth order in the common-wealth, this order has long existed; because the East India company has for many years enjoyed it in the fullest extent, and does at this day enjoy the whole administration of those provinces, and the patronage to offices throughout that great empire, except as it is controled by act of parliament.

It was the ill-condition, and ill administration of the company's affairs, which induced this house (merely as a temporary establishment) to vest the same powers which the company did before possess, (and no other) for a limited time, and under very strict directions, in proper hands, until they could be restored, or further provision made concerning them. It was therefore no creation whatever of a new power, but the removal of an old power, long since created, and then existing, from the management of those persons who had manifestly and dangerously abused their trust. This house, which well knows the parliamentary origin of all the company's powers and privileges, and is not ignorant or negligent of the authority which may vest those powers and privileges in others, if justice and the publick safety so require, is conscious to itself, that it no more creates a new order in the state, by making occasional trustees for the direction of the company, than it originally did in giving a much more permanent trust to the directors, or to the general court of that body. The monopoly

nopoly of the East India company was a derogation from the general freedom of trade belonging to his majesty's people. The powers of government, and of peace and war, are parts of prerogative of the highest order. Of our competence to restrain the rights of all his subjects by act of parliament, and to vest those high and eminent prerogatives even in a particular company of merchants, there has been no question. We beg leave most humbly to claim as our right, and as a right which this house has always used, to frame such bills, for the regulation of that commerce, and of the territories held by the East India company, and every thing relating to them, as to our discretion shall seem fit: and we assert and maintain, that therein we follow, and do not innovate on the constitution.

That his majesty's ministers, misled by their ambition, have endeavoured, if possible, to form a faction in the country against the popular part of the constitution; and have therefore thought proper to add to their slanderous accusation against a house of parliament, relative to his majesty's prerogative, another of a different nature, calculated for the purpose of raising fears and jealousies among the corporate bodies of the kingdom, and of persuading uninformed persons belonging to those corporations to look to, and to make addresses to them as protectors of their rights,

rights, under their several charters, from the designs which they, without any ground, charged the then house of commons to have formed against *charters in general*. For this purpose they have not scrupled to assert, that the exertion of his majesty's prerogative in the late precipitate change in his administration, and the dissolution of the late parliament, were measures adopted in order to rescue the people and their rights out of the hands of the house of commons, their representatives.

We trust that his majesty's subjects are not yet so far deluded as to believe that the charters, or that any other of their local or general privileges can have a solid security in any place but where that security has always been looked for, and always found, in the house of commons. Miserable and precarious indeed would be the state of their franchises, if they were to find no defence but from that quarter from whence they have always been attacked *. But the late house of commons in

* The attempt upon charters and the privileges of the corporate bodies of the kingdom in the reigns of Charles the Second, and James the Second, was made by the *crown*. It was carried on by the ordinary course of law, in courts instituted for the security of the property and franchises of the people. This attempt made by the *crown* was attended with complete success. The corporate rights of the city of London, and of all the companies

in passing that bill, made no attack upon any powers or privileges, except such as a house of commons

companies it contains, were by solemn judgment of law declared forfeited, and all their franchises, privileges, properties and estates, were of course seized into the hands of the *crown*. The injury was from the crown; the redress was by parliament. A bill was brought into the *house of commons*, by which the judgment against the city of London, and against the companies, was reversed: and this bill passed the house of lords without any complaint of trespass on their jurisdiction, although the bill was for a reversal of a judgment in law. By this act, which is in the second of William and Mary, chap. 8, the question of forfeiture of that charter is for ever taken out of the power of any court of law. No cognisance can be taken of it except in parliament.

Although the act above-mentioned has declared the judgment against the corporation of London to be *illegal*; yet Blackstone makes no scruple of asserting, that "perhaps in strictness of "law, the proceedings in most of them [the Quo Warranto "causes] were sufficiently regular," leaving it in doubt, whether this regularity did not apply to the corporation of London, as well as to any of the rest; and he seems to blame the proceeding (as most blameable it was) not so much on account of illegality, as for the crown's having employed a legal proceeding for political purposes. He calls it "an exertion of "*an act of law* for the purposes of the state."

The same security which was given to the city of London, would have been extended to all the corporations, if the house of commons could have prevailed. But the bill for that purpose passed but by a majority of one in the lords: and it was entirely lost by a prorogation, which is the act of the crown. Small, indeed, was the security which the corporation of London

commons has frequently attacked, and will attack (and they trust, in the end, with their wanted success)

don enjoyed, before the act of William and Mary, and which all the other corporations secured by no statute, enjoy at this hour, if strict law was employed against them. The use of strict law has always been rendered very delicate by the same means, by which the almost unmeasured legal powers residing (and in many instances dangerously residing) in the crown, are kept within due bounds; I mean, that strong superintending power in the house of commons, which inconsiderate people have been prevailed on to condemn as trenching on prerogative. Strict law is by no means such a friend to the rights of the subject, as they have been taught to believe. They who have been most conversant in this kind of learning, will be most sensible of the danger of submitting corporate rights of high political importance to these subordinate tribunals. The general heads of law on that subject are vulgar and trivial. On them there is not much question. But it is far from easy to determine what special acts, or what special neglect of action, shall subject corporations to a forfeiture. There is so much laxity in this doctrine, that great room is left in favour or prejudice, which might give to the crown an entire dominion over those corporations. On the other hand, it is undoubtedly true, that every subordinate, corporate right ought to be subject to control; to superiour direction; and even to forfeiture upon just cause. In this reason and law agree. In every judgment given on a corporate right of great political importance, the policy and prudence make no small part of the question. To these considerations a court of law is not competent; and indeed an attempt at the least intermixture of such ideas with the matter of law, could have no other effect, than wholly to corrupt the judicial character of the court, in which such a cause should come to be tried. It is besides

cess) that is, upon those which are corruptly and oppressively administered; and this house do faithfully

sides to be remarked, that if in virtue of a legal process of forfeiture should be adjudged, the court of law has no power to modify or mitigate. The whole franchise is annihilated, and the corporate property goes into the hands of the crown. They who hold the new doctrines concerning the power of the house of commons, ought well to consider in such a case by what means the corporate rights could be revived, or the property could be recovered out of the hands of the crown. But parliament can do, what the courts neither can do nor ought to attempt. Parliament is competent to give due weight to all political considerations. It may modify; it may mitigate; and it may render perfectly secure, all that it does not think fit to take away. It is not likely that parliament will ever draw to itself the cognisance of questions concerning ordinary corporations, farther than to protect them in case attempts are made to induce a forfeiture of their franchises.

The case of the East India company is different even from that of the greatest of these corporations. No monopoly of trade, beyond their own limits, is vested in the corporate body of any town or city in the kingdom. Even within these limits the monopoly is not general. The company has the monopoly of the trade of half the world. The first corporation of the kingdom, has for the object of its jurisdiction only a few matters of subordinary police. The East India company governs an empire through all its concerns, and all its departments, from the lowest office of œconomy to the highest councils of state—an empire to which Great Britain is in comparison but a respectable province. To leave these concerns without superiour cognisance would be madness; to leave them to be judged in the courts below on the principles of a confined jurisprudence, would be folly. It is well

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fully assure his majesty, that we will correct, and, if necessary for the purpose, as far as in us lies, will wholly destroy every species of power and authority exercised by British subjects to the oppression, wrong, and detriment of the people, and to the impoverishment and desolation of the countries subject to it.

The propagators of the calumnies against that house of parliament have been indefatigable in exaggerating the supposed injury done to the East India company by the suspension of the authorities which they have, in every instance, abused;

if the whole legislative power is competent to the correction of abuses, which are commensurate to the immensity of the object they effect. The idea of an absolute power has indeed its terrours; but that objection lies to every parliamentary proceeding; and as no other can regulate the abuses of such a charter, it is fittest that sovereign authority should be exercised, where it is most likely to be attended with the most effectual correctives. These correctives are furnished by the nature and course of parliamentary proceedings, and by the infinitely diversified characters who compose the two houses. In effect and virtually they form a vast number, variety, and succession of judges and jurors. The fulness, the freedom, and publicity of discussion, leaves it easy to distinguish what are acts of power, and what the determinations of equity and reason. There prejudice corrects prejudice, and the different asperities of party zeal mitigate and neutralise each other. So far from violence being the general characteristick of the proceedings of parliament, whatever the beginnings of any parliamentary process may be, its general fault in the end is, that it is found incomplete and ineffectual.

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as if power had been wrested, by wrong and violence, from just and prudent hands; but they have, with equal care, concealed the weighty grounds and reasons on which that house had adopted the most moderate of all possible expedients for rescuing the natives of India from oppression, and for saving the interest of the real and honest proprietors of their stock, as well as that great national, commercial concern, from imminent ruin.

The ministers aforesaid have also caused it to be reported, that the house of commons have confiscated the property of the East India company. It is the reverse of truth. The whole management was a trust for the proprietors, under their own inspection (and it was so provided for in the bill) and under the inspection of parliament. That bill, so far from confiscating the company's property, was the only one which, for several years past, did not, in some shape or other, affect their property, or restrain them in the disposition of it.

It is proper that his majesty and all his people should be informed, that the house of commons have proceeded, with regard to the East India company, with a degree of care, circumspection, and deliberation, which has not been equalled in the history of parliamentary proceedings. For sixteen years the state and condition of that body has never been wholly out of their view: in the

year

year 1767 the house took those objects into consideration, in a committee of the whole house; the business was pursued in the following year: in the year 1772, two committees were appointed for the same purpose, which examined into their affairs with much diligence, and made very ample reports: in the year 1773, the proceedings were carried to an act of parliament, which proved ineffectual to its purpose; the oppressions and abuses in India have since rather increased than diminished, on account of the greatness of the temptations and convenience of the opportunities, which got the better of the legislative provisions calculated against ill practices, then in their beginnings: insomuch that in 1781, two committees were again instituted, who have made seventeen reports. It was upon the most minute, exact, and laborious collection and discussion of facts, that the late house of commons proceeded in the reform which they attempted in the administration of India, but which has been frustrated by ways and means the most dishonourable to his majesty's government, and the most pernicious to the constitution of this kingdom. His majesty was so sensible of the disorders in the company's administration, that the consideration of that subject was no less than six times recommended to this house in speeches from the throne.

The result of the parliamentary inquiries has been,

been, that the East India company was found totally corrupted, and totally perverted from the purposes of its institution, whether political or commercial; that the powers of war and peace given by the charter had been abused, by kindling hostilities in every quarter for the purposes of rapine; that almost all the treaties of peace they have made, have only given cause to so many breaches of publick faith; that countries once the most flourishing are reduced to a state of indigence, decay, and depopulation, to the diminution of our strength, and to the infinite dishonour of our national character; that the laws of this kingdom are notoriously, and almost in every instance, despised; that the servants of the company, by the purchase of qualifications to vote in the general court, and, at length, by getting the company itself deeply in their debt, have obtained the entire and absolute mastery in the body, by which they ought to have been ruled and coerced. Thus their malversations in office are supported instead of being checked by the company. The whole of the affairs of that body are reduced to a most perilous situation; and many millions of innocent and deserving men, who are under the protection of this nation, and who ought to be protected by it, are oppressed by a most despotick and rapacious tyranny. The company and their servants have strengthened themselves by this confederacy, have

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set at defiance the authority and admonitions of this house employed to reform them; and when this house had selected certain principal delinquents, whom they declared it the duty of the company to recall, the company held out its legal privileges against all reformation; positively refused to recall them; and supported those who had fallen under the just censure of this house, with new and stronger marks of countenance and approbation.

The late house discovering the reversed situation of the company, by which the nominal servants are really the masters, and the offenders are become their own judges, thought fit to examine into the state of their commerce; and they have also discovered that their commercial affairs are in the greatest disorder, that their debts have accumulated beyond any present or obvious future means of payment, at least under the actual administration of their affairs; that this condition of the East India company has begun to affect the sinking fund itself, on which the publick credit of the kingdom rests, a million and upwards being due to the customs, which that house of commons, whose intentions towards the company have been so grossly misrepresented, were indulgent enough to respite. And thus, instead of confiscating their property, the company received without interest (which in such a case had been before charged) the

the use of a very large sum of the publick money. The revenues are under the peculiar care of this house, not only as the revenues originate from us, but as, on every failure of the funds set apart for support of the national credit, or to provide for the national strength and safety, the task of supplying every deficiency falls upon his majesty's faithful commons, this house must, in effect, tax the people. The house therefore, at every moment, incurs the hazard of becoming obnoxious to its constituents.

The enemies of the late house of commons resolved, if possible, to bring on that event. They therefore endeavoured to misrepresent the provident means adopted by the house of commons for keeping off this invidious necessity, as an attack on the rights of the East India company; for they well knew that on the one hand if, for want of proper regulation and relief, the company should become insolvent, or even stop payment, the national credit and commerce would sustain an heavy blow: and that calamity would be justly imputed to parliament, which after such long inquiries, and such frequent admonitions from his majesty, had neglected so essential and so urgent an article of their duty: on the other hand they knew, that, wholly corrupted as the company is, nothing effectual could be done to preserve that interest from ruin, without taking for a time the national objects

jects of their trusts out of their hands; and then a cry would be industriously raised against the house of commons, as depriving British subjects of their legal privileges. The restraint, being plain and simple, must be easily understood by those who would be brought with great difficulty, to comprehend the intricate detail of matters of fact, which render this suspension of the administration of India absolutely necessary on motives of justice, of policy, of publick honour, and publick safety.

The house of commons had not been able to devise a method, by which the redress of grievances could be effected through the authors of those grievances; nor could they imagine how corruptions could be purified by the corruptors and the corrupted; nor do we conceive, how any reformation can proceed from the known abettors and supporters of the persons who have been guilty of the misdemeanors which parliament has reprobated, and who for their own ill purposes have given countenance to a false and delusive state of the company's affairs, fabricated to mislead parliament, and to impose upon the nation *.

* The purpose of the misrepresentation being now completely answered, there is no doubt but the committee in this parliament, appointed by the ministers themselves, will justify the grounds upon which the last parliament proceeded; and will lay open to the world, the dreadful state of the company's affairs,

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Your commons feel, with a just resentment, the inadequate estimate which your ministers have formed of the importance of this great concern. They call on us to act upon the principles of those who have not inquired into the subject; and to condemn those who, with the most laudable diligence, have examined and scrutinized every part of it. The deliberations of parliament have been broken; the season of the year is unfavourable; many of us are new members, who must be wholly unacquainted with the subject, which lies remote from the ordinary course of general information.

We are cautioned against an infringement of the constitution; and it is impossible to know, what the secret advisers of the crown, who have driven out the late ministers for their conduct in parliament, and have dissolved the late parliament for a pretended attack upon prerogative, will consider as such an infringement. We are not furnished with a rule, the observance of which can make us safe from the resentment of the crown, even by an implicit obedience to the dictates of the ministers who have advised that speech: we

and the grossness of their own calumnies upon this head. By delay the new assembly is come to this disgraceful situation of allowing a dividend of eight per cent. by act of parliament, without the least matter before them to justify the granting of any dividend at all.

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know not how soon those ministers may be disavowed; and how soon the members of this house, for our very agreement with them, may be considered as objects of his majesty's displeasure. Until by his majesty's goodness and wisdom the late example is completely done away, we are not free.

We are well aware, in providing for the affairs of the east, with what an adult strength of abuse, and of wealth and influence growing out of that abuse, his majesty's commons had, in the last parliament, and we still have, to struggle. We are sensible that the influence of that wealth, in a much larger degree and measure than at any former period, may have penetrated into the very quarter from whence alone any real reformation can be expected *.

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* This will be evident to those who consider the number and description of directors and servants of the East India company, chosen into the present parliament. The light in which the present ministers hold the labours of the house of commons, in searching into the disorders in the Indian administration, and all its endeavours for the reformation of the government there, without any distinction of times, or of the persons concerned, will appear from the following extract from a speech of the present lord chancellro. After making a high-flown panegyrick on those whom the house of commons had condemned by their resolutions, he said—" Let us not be misled by reports from committees of *another* house, to which, I again repeat, *I pay as much attention, as I would do to the history of Robinson Crusoe.* Let the

 conduct

If, therefore, in the arduous affairs recommended to us, our proceedings should be ill adapted, feeble and ineffectual; if no delinquency should be prevented, and no delinquent should be called to account; if every person should be caressed, promoted, and raised in power, in proportion to the enormity of his offences; if no relief should be given to any of the natives unjustly dispossessed of their rights, jurisdictions, and properties; if no cruel and unjust exactions shall be forborne; if the source of no peculation, or oppressive gain should be cut off; if, by the omission of the opportunities that were in our hands, our Indian empire should fall into ruin irretrievable, and in its fall crush the credit, and overwhelm the revenues of this country, we stand acquitted to our honour and to our conscience, who have reluctantly seen the weightiest interests of our country, at times the most critical to its dignity and safety, rendered the sport of the inconsiderate and unmeasured am-

conduct of the East India company be fairly and fully inquired into? let it be acquitted or condemned by evidence brought to the bar of the house. Without entering very deep into the subject, let me reply in a few words to an observation which fell from a noble and learned lord, that the company's finances are distressed, and that they owe at this moment, a million sterling, to the nation. When such a charge is brought, will parliament in its justice forget, that the company is restricted from employing *that credit, which its great and flourishing situation* gives to it?"

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bition of individuals, and by that means the wisdom of his majesty's government degraded in the publick estimation, and the policy and character of this renowned nation rendered contemptible in the eyes of all Europe.

It passed in the negative.

MR. BURKE's SPEECH

ON THE

MOTION MADE FOR PAPERS

Relative to the Directions for charging

THE NABOB OF ARCOT'S PRIVATE DEBTS TO EUROPEANS ON THE REVENUES OF THE CARNATICK.

February 28*th*, 1785.

WITH AN

APPENDIX,

CONTAINING SEVERAL DOCUMENTS.

Ἐνταῦθα τί πράττειν ἐχρῆν ἄνδρα τῶν Πλάτωνος καὶ Ἀριστοτέλους ζηλωτὴν δογμάτων; ἆρα περιορᾶν ἀνθρώπους ἀθλίους τοῖς κλέπταις ἐκδιδομένους, ἢ καὶ δύναμιν αὐτοῖς ἀμύνειν, οἶμαι, ὡς ἤδη τὸ κύκνειον ἐξᾴδουσι διὰ τὸ θεομισὲς ἐργαστήριον τῶν τοιούτων; Ἐμοὶ μὲν οὖν αἰσχρὸν εἶναι δοκεῖ τοὺς μὲν χιλιάρχους, ὅταν λείπωσι τὴν τάξιν, καταδικάζειν· τὴν δὲ ὑπὲρ ἀληθίων ἀνθρώπων ὑπολείπειν τάξιν, ὅταν δέῃ πρὸς κλέπτας ἀγωνίζεσθαι τοιούτους· καὶ ταῦτά τῷ Θεῷ συμμαχοῦντος ἡμῖν, ὥσπερ οὖν ἔταξεν.

JULIANI Epist. 17.

ADVERTISEMENT.

THAT the least informed reader of this speech may be enabled to enter fully into the spirit of the transaction on occasion of which it was delivered, it may be proper to acquaint him, that among the princes dependent on this nation in the southern parts of India, the most considerable at present is commonly known by the title of the Nabob of Arcot.

This prince owed the establishment of his government, against the claims of his elder brother, as well as those of other competitors, to the arms and influence of the British East India company. Being thus established in a considerable part of the dominions he now possesses, he began, about the year 1765, to form, at the instigation (as he asserts) of the servants of the East India company, a variety of designs for the further extension of his territories. Some years after, he carried his views to certain objects of interiour arrangement, of a very pernicious nature. None of these designs could be compassed without the aid of the company's arms; nor could those arms be employed consistently with an obedience to the company's orders. He was therefore advised to form a more secret,

secret, but an equally powerful interest among the servants of that company, and among others both at home and abroad. By engaging them in his interests, the use of the company's power might be obtained without their ostensible authority; the power might even be employed in defiance of the authority; if the case should require, as in truth it often did require, a proceeding of that degree of boldness.

The company had put him into possession of several great cities and magnificent castles. The good order of his affairs, his sense of personal dignity, his ideas of oriental splendour, and the habits of an Asiatick life (to which, being a native of India, and a Mahometan, he had from his infancy been inured) would naturally have led him to fix the seat of his government within his own dominions. Instead of this, he totally sequestered himself from his country; and, abandoning all appearance of state, he took up his residence in an ordinary house, which he purchased in the suburbs of the company's factory at Madras. In that place he has lived, without removing one day from thence, for several years past. He has there continued a constant cabal with the company's servants, from the highest to the lowest; creating, out of the ruins of the country, brilliant fortunes for those who will, and entirely destroying those who will not, be subservient to his purposes.

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An opinion prevailed, strongly confirmed by several passages in his own letters, as well as by a combination of circumstances forming a body of evidence which cannot be resisted, that very great sums have been by him distributed, through a long course of years, to some of the company's servants. Besides these presumed payments in ready money (of which, from the nature of the thing, the direct proof is very difficult) debts have at several periods been acknowledged to those gentlemen, to an immense amount; that is, to some millions of sterling money. There is strong reason to suspect, that the body of these debts is wholly fictitious, and was never created by money *bona fide* lent. But even on a supposition that this vast sum was really advanced, it was impossible that the very reality of such an astonishing transaction should not cause some degree of alarm, and incite to some sort of inquiry.

It was not at all seemly, at a moment when the company itself was so distressed, as to require a suspension by act of parliament, of the payment of bills drawn on them from India—and also a direct tax upon every house in England, in order to facilitate the vent of their goods, and to avoid instant insolvency—at that very moment that their servants should appear in so flourishing a condition, as, besides ten millions of other demands on their masters, to be entitled to claim a debt of three

or

or four millions more from the territorial revenue of one of their dependent princes.

The ostensible pecuniary transactions of the nabob of Arcot, with very private persons, are so enormous, that they evidently set aside every pretence of policy, which might induce a prudent government in some instances to wink at ordinary loose practice in ill-managed departments. No caution could be too great in handling this matter; no scrutiny too exact. It was evidently the interest, and as evidently at least in the power, of the creditors, by admitting secret participation in this dark and undefined concern, to spread corruption to the greatest and the most alarming extent.

These facts relative to the debts were so notorious, the opinion of their being a principal source of the disorders of the British government in India was so undisputed and universal, that there was no party, no description of men in parliament, who did not think themselves bound, if not in honour and conscience, at least in common decency, to institute a vigorous inquiry into the very bottom of the business, before they admitted any part of that vast and suspicious charge to be laid upon an exhausted country. Every plan concurred in directing such an inquiry; in order that whatever was discovered to be corrupt, fraudulent, or oppressive, should lead to a due animadversion

version on the offenders; and if any thing fair and equitable in its origin should be found (nobody suspected that much, comparatively speaking, would be so found) it might be provided for; in due subordination, however, to the ease of the subject, and the service of the state.

These were the alledged grounds for an inquiry, settled in all the bills brought into parliament relative to India, and there were I think no less than four of them. By the bill, commonly called Mr. Pitt's bill, the inquiry was specially, and by express words, committed to the court of directors, without any reserve for the interference of any other person or persons whatsoever. It was ordered that *they* should make the inquiry into the origin and justice of these debts, as far as the materials in *their* possession enabled them to proceed; and where *they* found those materials deficient, *they* should order the presidency of Fort St. George [Madras] to complete the inquiry.

The court of directors applied themselves to the execution of the trust reposed in them. They first examined into the amount of the debt, which they computed, at compound interest, to be 2,945,600*l.* sterling. Whether their mode of computation, either of the original sums, or the amount on compound interest, was exact; that is, whether they took the interest too high, or the several capitals too low, is not material. On whatever principle

principle any of the calculations were made up, none of them found the debt to differ from the recital of the act, which asserted, that the sums claimed were "*very* large." The last head of these debts the directors compute at 2,465,680*l.* sterling. Of the existence of this debt the directors heard nothing until 1776, and they say, that, "although they had *repeatedly* written to the nabob of Arcot, and to their servants, respecting "the debt, yet they *had never been able to trace the* "*origin thereof, or to obtain any satisfactory in-* "*formation on the subject.*"

The court of directors, after stating the circumstances under which the debts appeared to them to have been contracted, add as follows: "For "these reasons we should have thought it our "duty to inquire *very minutely* into those debts, "even if the act of parliament had been silent on "the subject, before we concurred in any measure "for their payment. But with the positive in-"junctions of the act before us, to examine into "their nature and origin, we are indispensably "bound to direct such an inquiry to be insti-"tuted." They then order the president and council of Madras to enter into a full examination, &c. &c.

The directors having drawn up their order to the presidency on these principles, communicated the draught of the general letter in which those

orders were contained, to the board of his majesty's ministers, and other servants lately constituted by Mr. Pitt's East India act. These ministers, who had just carried through parliament the bill ordering a specifick inquiry, immediately drew up another letter, on a principle directly opposite to that, which was prescribed by the act of parliament, and followed by the directors. In these second orders, all idea of an inquiry into the justice and origin of the pretended debts, particularly of the last, the greatest, and the most obnoxious to suspicion, is abandoned. They are all admitted and established without any investigation whatsoever; except some private conference with the agents of the claimants is to pass for an investigation; and a fund for their discharge is assigned and set apart out of the revenues of the Carnatick.—To this arrangement in favour of their servants, servants suspected of corruption, and convicted of disobedience, the directors of the East India company were ordered to set their hands, asserting it to arise from their own conviction and opinion, in flat contradiction to their recorded sentiments, their strong remonstrance, and their declared sense of their duty, as well under their general trust and their oath as directors, as under the express injunctions of an act of parliament.

The principles upon which this summary proceeding was adopted by the ministerial board, are stated

stated by themselves in a number in the appendix to this speech.

By another section of the same act, the same court of directors were ordered to take into consideration and to decide on the indeterminate rights of the rajah of Tanjore and the nabob of Arcot; and in this, as in the former case, no power of appeal, revision, or alteration was reserved to any other. It was a jurisdiction, in a cause between party and party, given to the court of directors specifically. It was known that the territories of the former of these princes had been twice invaded and pillaged, and the prince deposed and imprisoned, by the company's servants, influenced by the intrigues of the latter, and for the purpose of paying his pretended debts. The company had, in the year 1775, ordered a restoration of the rajah to his government, under certain conditions. The rajah complained that his territories had not been completely restored to him; and that no part of his goods, money, revenues, or records, unjustly taken and withheld from him, were ever returned. The nabob, on the other hand, never ceased to claim the country itself, and carried on a continued train of negotiation, that it should again be given up to him, in violation of the company's publick faith.

The directors, in obedience to this part of the act, ordered an inquiry, and came to a determination

nation to restore certain of his territories to the rajah. The ministers proceeding as in the former case, without hearing any party, rescinded the decision of the directors, refused the restitution of the territory, and without regard to the condition of the country of Tanjore, which had been within a few years four times plundered (twice by the nabob of Arcot, and twice by enemies brought upon it solely by the politicks of the same nabob, the declared enemy of that people) and without discounting a shilling for their sufferings, they accumulate an arrear of about 400,000 pounds of pretended tribute to this enemy; and then they order the directors to put their hands to a new adjudication, directly contrary to a judgment in a judicial character and trust, solemnly given by them, and entered on their records.

These proceedings naturally called for some inquiry. On the 28th of February, 1785, Mr. Fox made the following motion in the house of commons, after moving that the clauses of the act should be read—" That the proper officer do lay " before this house copies and extracts of all let- " ters and orders of the court of directors of the " united East India company, in pursuance of the " injunctions contained in the 37th and 38th " clauses of the said act;" and the question being put, it passed in the negative by a very great majority.

The last speech in the debate was the following; which is given to the publick, not as being more worthy of its attention than others (some of which were of consummate ability) but as entering more into the detail of the subject.

SPEECH

SPEECH, &c.

THE times we live in, Mr. Speaker, have been distinguished by extraordinary events. Habituated, however, as we are, to uncommon combinations of men and of affairs, I believe nobody recollects any thing more surprising than the spectacle of this day. The right honourable gentleman *, whose conduct is now in question, formerly stood forth in this house, the prosecutor of the worthy baronet † who spoke after him. He charged him with several grievous acts of malversation in office; with abuses of a publick trust of a great and heinous nature. In less than two years we see the situation of the parties reversed; and a singular revolution puts the worthy baronet in a fair way of returning the prosecution in a recriminatory bill of pains and penalties, grounded on a breach of public trust, relative to the government of the very same part of India. If he should undertake a bill of that kind, he will find no difficulty in conducting it with a degree of skill

* Right honourable Henry Dundas.

† Sir Thomas Rumbold, late governour of Madras.

and vigour fully equal to all that have been exerted against him.

But the change of relation between these two gentlemen is not so striking as the total difference of their deportment under the same unhappy circumstances. Whatever the merits of the worthy baronet's defence might have been, he did not shrink from the charge. He met it with manliness of spirit, and decency of behaviour. What would have been thought of him, if he had held the present language of his old accuser? When articles were exhibited against him by that right honourable gentleman, he did not think proper to tell the house that we ought to institute no inquiry, to inspect no paper, to examine no witness. He did not tell us (what at that time he might have told us with some shew of reason) that our concerns in India were matters of delicacy; that to divulge any thing relative to them would be mischievous to the state. He did not tell us, that those who would inquire into his proceedings were disposed to dismember the empire. He had not the presumption to say, that for his part, having obtained in his Indian presidency, the ultimate object of his ambition, his honour was concerned in executing with integrity the trust which had been legally committed to his charge: That others, not having been so fortunate, could not be so disinterested; and therefore their accusations could spring

spring from no other source than faction, and envy to his fortune.

Had he been frontless enough to hold such vain, vapouring language in the face of a grave, a detailed, a specified matter of accusation, whilst he violently resisted every thing which could bring the merits of his cause to the test; had he been wild enough to anticipate the absurdities of this day; that is, had he inferred, as his late accuser had thought proper to do, that he could not have been guilty of malversation in office, for this sole and curious reason, that he had been in office; had he argued the impossibility of his abusing his power on this sole principle, that he had power to abuse, he would have left but one impression on the mind of every man who heard him, and who believed him in his senses—that in the utmost extent he was guilty of the charge.

But, Sir, leaving these two gentlemen to alternate, as criminal and accuser, upon what principles they think expedient; it is for us to consider, whether the chancellor of the exchequer, and the treasurer of the navy, acting as a board of control, are justified by law or policy, in suspending the legal arrangements made by the court of directors, in order to transfer the publick revenues to the private emolument of certain servants of the East-India company, without the inquiry into the origin and justice of their claims, prescribed by an act of parliament?

It

It is not contended, that the act of parliament did not expressly ordain an inquiry. It is not asserted that this inquiry was not, with equal precision of terms, specially committed under particular regulations to the court of directors. I conceive, therefore, the board of control had no right whatsoever to intermeddle in that business. There is nothing certain in the principles of jurisprudence, if this be not undeniably true, that when a special authority is given to any persons by name, to do some particular act, that no others, by virtue of general powers, can obtain a legal title to intrude themselves into that trust, and to exercise those special functions in their place. I therefore consider the intermeddling of ministers in this affair as a downright usurpation. But if the strained construction, by which they have forced themselves into a suspicious office (which every man, delicate with regard to character, would rather have sought constructions to avoid) were perfectly sound and perfectly legal, of this I am certain, that they cannot be justified in declining the inquiry which had been prescribed to the court of directors. If the board of control did lawfully possess the right of executing the special trust given to that court, they must take it as they found it, subject to the very same regulations which bound the court of directors. It will be allowed that the court of directors had no authority to dispense with either the substance or the

mode of inquiry prescribed by the act of parliament. If they had not, where, in the act, did the board of control acquire that capacity? Indeed, it was impossible they should acquire it.—What must we think of the fabrick and texture of an act of parliament which should find it necessary to prescribe a strict inquisition; that should descend into minute regulations for the conduct of that inquisition; that should commit this trust to a particular description of men, and in the very same breath should enable another body, at their own pleasure, to supersede all the provisions the legislature had made, and to defeat the whole purpose, end, and object of the law? This cannot be supposed even of an act of parliament conceived by the ministers themselves, and brought forth during the delirium of the last session.

My honourable friend has told you in the speech which introduced his motion, that fortunately this question is not a great deal involved in the labyrinths of Indian detail. Certainly not. But if it were, I beg leave to assure you, that there is nothing in the Indian detail which is more difficult than in the detail of any other business. I admit, because I have some experience of the fact, that for the interiour regulation of India, a minute knowledge of India is requisite. But on any specifick matter of delinquency in its government, you are as capable of judging, as if the same thing were done

done at your door. Fraud, injustice, oppression, peculation, engendered in India, are crimes of the same blood, family, and cast, with those that are born and bred in England. To go no farther than the case before us: you are just as competent to judge whether the sum of four millions sterling ought, or ought not, to be passed from the publick treasury into a private pocket, without any title except the claim of the parties, when the issue of fact is laid in Madras, as when it is laid in Westminster. Terms of art, indeed, are different in different places; but they are generally understood in none. The technical style of an Indian treasury is not one jot more remote than the jargon of our own exchequer, from the train of our ordinary ideas, or the idiom of our common language. The difference therefore in the two cases is not in the comparative difficulty or facility of the two subjects, but in our attention to the one, and our total neglect of the other. Had this attention and neglect been regulated by the value of the several objects, there would be nothing to complain of. But the reverse of that supposition is true. The scene of the Indian abuse is distant indeed; but we must not infer, that the value of our interest in it is decreased in proportion as it recedes from our view. In our politicks, as in our common conduct, we shall be worse than infants, if we do not put our senses under the tuition of our judgment,

ment, and effectually cure ourselves of that optical illusion which makes a briar at our nose of greater magnitude, than an oak at five hundred yards distance.

I think I can trace all the calamities of this country to the single source of our not having had steadily before our eyes a general, comprehensive, well-connected, and well-proportioned view of the whole of our dominions, and a just sense of their true bearings and relations. After all its reductions, the British empire is still vast and various. After all the reductions of the house of commons, (stripped as we are of our brightest ornaments, and of our most important privileges) enough are yet left to furnish us, if we please, with means of shewing to the world, that we deserve the superintendance of as large an empire as this kingdom ever held, and the continuance of as ample privileges as the house of commons, in the plenitude of its power, had been habituated to assert. But if we make ourselves too little for the sphere of our duty; if, on the contrary, we do not stretch and expand our minds to the compass of their object, be well assured, that every thing about us will dwindle by degrees, until at length our concerns are shrunk to the dimensions of our minds. It is not a predilection to mean, sordid, home-bred cares, that will avert the consequences of a false estimation of our interest, or prevent the shameful

dilapidation, into which a great empire must fall, by mean reparations upon mighty ruins.

I confess I feel a degree of disgust, almost leading to despair, at the manner in which we are acting in the great exigencies of our country. There is now a bill in this house, appointing a rigid inquisition into the minutest detail of our offices at home. The collection of sixteen millions annually; a collection on which the publick greatness, safety, and credit have their reliance; the whole order of criminal jurisprudence, which holds together society itself, have at no time obliged us to call forth such powers; no, nor any thing like them. There is not a principle of the law and constitution of this country that is not subverted to favour the execution of that project *. And for what is all this apparatus of bustle and terrour? Is it because any thing substantial is expected from it? No. The stir and bustle itself is the end proposed. The eye-servants of a short-sighted master will employ themselves, not on what is most essential to his affairs, but on what is nearest to his ken. Great difficulties have given a just value to œconomy; and our minister of the day must be an œconomist, whatever it may cost us. But where is he to exert his talents? At home to be sure; for where else can he obtain a profitable credit for their exertion? It is nothing

* Appendix, No. 1.

to

to him, whether the object on which he works under our eye be promising or not. If he does not obtain any publick benefit, he may make regulations without end. Those are sure to pay in present expectation, whilst the effect is at a distance, and may be the concern of other times, and other men. On these principles he chooses to suppose (for he does not pretend more than to suppose) a naked possibility, that he shall draw some resource out of crumbs dropped from the trenchers of penury; that something shall be laid in store from the short allowance of revenue officers, overloaded with duty, and famished for want of bread; by a reduction from officers who are at this very hour ready to batter the treasury with what breaks through stone-walls, for an *increase* of their appointments. From the marrowless bones of these skeleton establishments, by the use of every sort of cutting, and of every sort of fretting tool, he flatters himself that he may chip and rasp an empirical alimentary powder, to diet into some similitude of health and substance the languishing chimeras of fraudulent reformation.

Whilst he is thus employed according to his policy and to his taste, he has not leisure to inquire into those abuses in India that are drawing off money by millions from the treasures of this country, which are exhausting the vital juices from members of the state, where the public inanition is far

more

more sorely felt than in the local exchequer of England. Not content with winking at these abuses, whilst he attempts to squeeze the laborious ill-paid drudges of English revenue, he lavishes in one act of corrupt prodigality, upon those who never served the publick in any honest occupation at all, an annual income equal to two thirds of the whole collection of the revenues of this kingdom.

Actuated by the same principle of choice, he has now on the anvil another scheme, full of difficulty and desperate hazard, which totally alters the commercial relation of two kingdoms; and what end soever it shall have, may bequeath a legacy of heart burning and discontent to one of the countries, perhaps to both, to be perpetuated to the latest posterity. This project is also undertaken on the hope of profit. It is provided, that out of some (I know not what) remains of the Irish hereditary revenue, a fund at some time, and of some sort, should be applied to the protection of the Irish trade. Here we are commanded again to task our faith, and to persuade ourselves, that out of the surplus of deficiency, out of the savings of habitual and systematick prodigality, the minister of wonders will provide support for this nation, sinking under the mountainous load of two hundred and thirty millions of debt. But whilst we look with pain at his desperate and laborious trifling; whilst we are apprehensive that he will

break

break his back in stooping to pick up chaff and straws, he recovers himself at an elastick bound, and with a broad-cast swing of his arm, he squanders over his Indian field a sum far greater than the clear produce of the whole hereditary revenue of the kingdom of Ireland *.

Strange as this scheme of conduct in ministry is, and inconsistent with all just policy, it is still true to itself, and faithful to its own perverted order. Those who are bountiful to crimes, will be rigid to merit, and penurious to service. Their penury is even held out as a blind and cover to their prodigality. The œconomy of injustice is, to furnish resources for the fund of corruption. Then they pay off their protection to great crimes and great criminals, by being inexorable to the paltry frailties of little men; and these modern flagellants are sure, with a rigid fidelity, to whip their own enormities on the vicarious back of every small offender.

It is to draw your attention to œconomy of quite another order; it is to animadvert on offences of a far different description, that my ho-

* The whole of the net Irish hereditary revenue is, on a medium of the last seven years, about 330,000*l.* yearly. The revenues of all denominations fall short more than 150,000*l.* yearly of the charges. On the *present* produce, if Mr. Pitt's scheme was to take place, he might gain from seven to ten thousand pounds a year.

nourable

nourable friend has brought before you the motion of this day. It is to perpetuate the abuses which are subverting the fabrick of your empire, that the motion is opposed. It is therefore with reason (and if he has power to carry himself through, I commend his prudence) that the right honourable gentleman makes his stand at the very outset; and boldly refuses all parliamentary information. Let him admit but one step towards inquiry, and he is undone. You must be ignorant, or he cannot be safe. But before his curtain is let down, and the shades of eternal night shall veil our eastern dominions from our view, permit me, Sir, to avail myself of the means which were furnished in anxious and inquisitive times, to demonstrate out of this single act of the present minister, what advantages you are to derive from permitting the greatest concern of this nation to be separated from the cognizance, and exempted even out of the competence, of parliament. The greatest body of your revenue, your most numerous armies, your most important commerce, the richest sources of your publick credit, (contrary to every idea of the known settled policy of England) are on the point of being converted into a mystery of state. You are going to have one half of the globe hid even from the common liberal curiosity of an English gentleman. Here a grand revolution commences. Mark the period, and mark the circumstances. In

most

most of the capital changes that are recorded in the principles and system of any government, a publick benefit of some kind or other has been pretended. The revolution commenced in something plausible; in something which carried the appearance at least of punishment of delinquency, or correction of abuse. But here, in the very moment of the conversion of a department of British government into an Indian mystery, and in the very act in which the change commences, a corrupt, private interest is set up in direct opposition to the necessities of the nation. A diversion is made of millions of the publick money from the publick treasury to a private purse. It is not into secret negotiations for war, peace, or alliance, that the house of commons is forbidden to inquire. It is a matter of account; it is a pecuniary transaction; it is the demand of a suspected steward upon ruined tenants and an embarrassed master, that the commons of Great Britain are commanded not to inspect. The whole tenour of the right honourable gentleman's argument is consonant to the nature of his policy. The system of concealment is fostered by a system of falsehood. False facts, false colours, false names of persons and things, are its whole support.

Sir, I mean to follow the right honourable gentleman over that field of deception, clearing what he has purposely obscured, and fairly stating what it

it was necessary for him to misrepresent. For this purpose, it is necessary you should know with some degree of distinctness, a little of the locality, the nature, the circumstances, the magnitude of the pretended debts on which this marvellous donation is founded, as well as of the persons from whom and by whom it is claimed.

Madras, with its dependencies, is the second (but with a long interval, the second) member of the British empire in the east. The trade of that city, and of the adjacent territory, was, not very long ago, among the most flourishing in Asia. But since the establishment of the British power, it has wasted away under an uniform gradual decline; insomuch that in the year 1779 not one merchant of eminence was to be found in the whole country *. During this period of decay, about six hundred thousand sterling pounds a year have been drawn off by English gentlemen on their private account, by the way of China alone †. If we add four hundred thousand, as probably remitted through other channels, and in other mediums, that is, in jewels, gold, and silver directly brought to Europe, and in bills upon the British and foreign companies, you will scarcely think the matter over-rated. If we fix the commencement of this

* Mr. Smith's examination before the select committee, Appendix, No. 2.

† Appendix, No. 2.

extraction

extraction of money from the Carnatick at a period no earlier than the year 1760, and close it in the year 1780, it probably will not amount to a great deal less than twenty of millions of money.

During the deep silent flow of this steady stream of wealth, which set from India into Europe, it generally passed on with no adequate observation; but happening at some periods to meet rifts of rocks that checked its course, it grew more noisy and attracted more notice. The pecuniary discussions caused by an accumulation of part of the fortunes of their servants in a debt from the nabob of Arcot, was the first thing which very particularly called for, and long engaged, the attention of the court of directors. This debt amounted to eight hundred and eighty thousand pounds sterling, and was claimed, for the greater part, by English gentlemen, residing at Madras. This grand capital, settled at length by order at ten *per cent.* afforded an annuity of eighty-eight thousand pounds *.

Whilst the directors were digesting their astonishment at this information, a memorial was presented to them from three gentlemen, informing them that their friends had lent likewise, to merchants of Canton in China, a sum of not more than one million sterling. In this memorial they called upon the company for their assistance and

* Fourth report, Mr. Dundas's committee, p. 4.

interposition with the Chinese government for the recovery of the debt. This sum lent to Chinese merchants, was at 24 *per cent.* which would yield, if paid, an annuity of two hundred and forty thousand pounds *.

Perplexed as the directors were with these demands, you may conceive, Sir, that they did not find themselves very much disembarrassed, by being made acquainted that they must again exert their influence for a new reserve of the happy parsimony of their servants, collected into a second debt from the nabob of Arcot, amounting to two millions four hundred thousand pounds, settled at an interest of 12 *per cent.* This is known by the name of the Consolidation of 1777, as the former of the nabob's debts was by the title of the Consolidation of 1767. To this was added, in a separate parcel, a little reserve called the Cavalry debt, of one hundred and sixty thousand pounds, at the same interest. The whole of these four capitals, amounting to four millions four hundred and forty thousand pounds, produced at their several rates, annuities amounting to six hundred and twenty-three thousand pounds a year; a good deal more than one-third of the clear land-tax of England,

* A witness examined before the committee of secrecy says, that eighteen *per cent.* was the usual interest; but he had heard that more had been given. The above is the account which Mr. B. received.

at

at four shillings in the pound; a good deal more than double the whole annual dividend of the East India company, the nominal masters to the proprietors in these funds. Of this interest, three hundred and eighty-three thousand two hundred pounds a year stood chargeable on the publick revenues of the Carnatick.

Sir, at this moment, it will not be necessary to consider the various operations which the capital and interest of this debt have successively undergone. I shall speak to these operations when I come particularly to answer the right honourable gentleman on each of the heads, as he has thought proper to divide them. But this was the exact view in which these debts first appeared to the court of directors, and to the world. It varied afterwards. But it never appeared in any other than a most questionable shape. When this gigantick phantom of debt first appeared before a young minister, it naturally would have justified some degree of doubt and apprehension. Such a prodigy would have filled any common man with superstitious fears. He would exorcise that shapeless, nameless form, and by every thing sacred would have adjured it to tell by what means a small number of slight individuals, of no consequence or situation, possessed of no lucrative offices, without the command of armies, or the known administration of revenues, without profession of any kind, without

any sort of trade sufficient to employ a pedlar, could have, in a few years (as to some, even in a few months) amassed treasures equal to the revenues of a respectable kingdom? Was it not enough to put these gentlemen, in the noviciate of their administration, on their guard, and to call upon them for a strict inquiry (if not to justify them in a reprobation of those demands without any inquiry at all) that when all England, Scotland, and Ireland had for years been witness to the immense sums laid out by the servants of the company in stocks of all denominations, in the purchase of lands, in the buying and building of houses, in the securing quiet seats in parliament, or in the tumultuous riot of contested elections, in wandering throughout the whole range of those variegated modes of inventive prodigality, which sometimes have excited our wonder, sometimes roused our indignation; that after all India was four millions still in debt to *them?* India in debt to *them!* For what? Every debt for which an equivalent of some kind or other is not given, is on the face of it a fraud. What is the equivalent they have given? What equivalent had they to give? What are the articles of commerce, or the branches of manufacture which those gentlemen have carried hence to enrich India? What are the sciences they beamed out to enlighten it? What are the arts they introduced to chear and to adorn it?

What

What are the religious, what the moral institutions they have taught among that people as a guide to life, or as a consolation when life is to be no more, that there is an eternal debt, a debt "still paying "still to owe," which must be bound on the present generation in India, and entailed on their mortgaged posterity for ever? A debt of millions, in favour of a set of men, whose names, with few exceptions, are either buried in the obscurity of their origin and talents, or dragged into light by the enormity of their crimes?

In my opinion the courage of the minister was the most wonderful part of the transaction, especially as he must have read, or rather the right honourable gentleman says, he has read for him, whole volumes upon the subject. The volumes, by the way, are not by one tenth part so numerous as the right honourable gentleman has thought proper to pretend, in order to frighten you from inquiry; but in these volumes, such as they are, the minister must have found a full authority for a suspicion (at the very least) of every thing relative to the great fortunes made at Madras. What is that authority? Why no other than the standing authority for all the claims which the ministry has thought fit to provide for—the grand debtor—the nabob of Arcot himself. Hear that prince, in the letter written to the court of directors, at the precise period, whilst the main body of these debts

were

were contracting. In his letter he states himself to be, what undoubtedly he is, a most competent witness to this point. After speaking of the war with Hyder Ali in 1768 and 1769, and of other measures which he censures (whether right or wrong it signifies nothing) and into which he says he had been led by the company's servants; he proceeds in this manner—" If all these things " were against the real interests of the company, " they are ten thousand times more against mine, " and against the prosperity of my country, and " the happiness of my people; for your interests " and mine are the same. *What were they owing " to then? to the private views of a few indivi- " duals, who have enriched themselves at the ex- " pence of your influence, and of my country; for " your servants HAVE NO TRADE IN " THIS COUNTRY; neither do you pay them " high wages, yet in a few years they return to " England with many lacks of pagodas. How can " you or I account for such immense fortunes ac- " quired in so short a time, without any visible " means of getting them?*"

When he asked this question, which involves its answer, it is extraordinary that curiosity did not prompt the chancellor of the exchequer to that inquiry, which might come in vain recommended to him by his own act of parliament. Does not the nabob of Arcot tell us in so many words, that there was no fair way of making the enormous sums

sums sent by the company's servants to England? and do you imagine that there was or could be more honesty and good faith, in the demands for what remained behind in India? Of what nature were the transactions with himself? If you follow the train of his information you must see, that if these great sums were at all lent, it was not property, but spoil that was lent; if not lent, the transaction was not a contract, but a fraud. Either way, if light enough could not be furnished to authorize a full condemnation of these demands, they ought to have been left to the parties, who best knew and understood each other's proceedings. It was not necessary that the authority of government should interpose in favour of claims, whose very foundation was a defiance of that authority, and whose object and end was its entire subversion.

It may be said that this letter was written by the nabob of Arcot in a moody humour, under the influence of some chagrin. Certainly it was; but it is in such humours that truth comes out. And when he tells you from his own knowledge, what every one must presume, from the extreme probability of the thing, whether he told it or not, one such testimony is worth a thousand that contradict that probability, when the parties have a better understanding with each other, and when they have a point to carry, that may unite them in a common deceit.

If

If this body of private claims of debt, real or devised, were a question, as it is falsely pretended, between the nabob of Arcot as debtor, and Paul Benfield and his associates as creditors, I am sure, I should give myself but little trouble about it. If the hords of oppression were the fund for satisfying the claims of bribery and peculation, who would wish to interfere between such litigants? If the demands were confined to what might be drawn from the treasures, which the company's records uniformly assert that the nabob is in possession of; or if he had mines of gold or silver, or diamonds (as we know that he has none) these gentlemen might break open his hoards, or dig in his mines, without any disturbance from me. But the gentlemen on the other side of the house know as well as I do, and they dare not contradict me, that the nabob of Arcot and his creditors are not adversaries, but collusive parties, and that the whole transaction is under a false colour and false names. The litigation is not, nor ever has been, between their rapacity and his hoarded riches. No; it is between him and them combining and confederating on one side, and the publick revenues, and the miserable inhabitants of a ruined country, on the other. These are the real plaintiffs and the real defendants in the suit. Refusing a shilling from his hoards for the satisfaction of any demand, the nabob of Arcot is always ready, nay, he earnestly, and with eagerness and passion,

contends

contends for delivering up to these pretended creditors his territory and his subjects. It is therefore not from treasuries and mines, but from the food of your unpaid armies, from the blood withheld from the veins, and whipt out of the backs of the most miserable of men, that we are to pamper extortion, usury, and peculation, under the false names of debtors and creditors of state.

The great patron of these creditors (to whose honour they ought to erect statues) the right honourable gentleman *, in stating the merits which recommended them to his favour, has ranked them under three grand divisions. The first, the creditors of 1767; then the creditors of the cavalry loan; and lastly, the creditors of the loan in 1777. Let us examine them, one by one, as they pass in review before us.

The first of these loans, that of 1767, he insists, has an indisputable claim upon the publick justice. The creditors, he affirms, lent their money publickly; they advanced it with the express knowledge and approbation of the company; and it was contracted at the moderate interest of ten *per cent*. In this loan the demand is, according to him, not only just, but meritorious in a very high degree; and one would be inclined to believe he thought so, because he has put it last in the provision he has made for these claims.

* Mr. Dundas.

I readily

I readily admit this debt to stand the fairest of the whole; for whatever may be my suspicions concerning a part of it, I can convict it of nothing worse than the most enormous usury. But I can convict upon the spot the right honourable gentleman, of the most daring misrepresentation in every one fact, without any exception, that he has alleged in defence of this loan, and of his own conduct with regard to it. I will shew you that this debt was never contracted with the knowledge of the company; that it had not their approbation; that they received the first intelligence of it with the utmost possible surprise, indignation, and alarm.

So far from being previously apprized of the transaction from its origin, it was two years before the court of directors obtained any official intelligence of it. "The dealings of the servants with "the nabob were concealed from the first, until "they were found out," (says Mr. Sayer, the company's counsel) "by the report of the coun-"try." The presidency, however, at last thought proper to send an official account. On this the directors tell them, "to your great reproach it has "been *concealed from us*. We cannot but sus-"pect this debt to have had its weight in *your* "*proposed aggrandizement of Mahomed Ali* [the "nabob of Arcot]; but whether it has or has not,

"certain

" certain it is, you are guilty of an high breach " of duty in *concealing* it from us."

These expression, concerning the ground of the transaction, its effect, and its clandestine nature, are in the letters, bearing date March 17, 1769. After receiving a more full account on the 23d March, 1770, they state, that " Messrs. John Pybus, John Call, and James Bourchier, as trustees for themselves and others of the nabob's " private creditors, had proved a deed of assignment upon the nabob and his son of FIFTEEN " districts of the nabob's country, the revenues of " which yielded, in time of peace, eight lacks of " pagodas [320,000*l.* sterling] annually; and likewise an assignment of the yearly tribute paid " the nabob from the rajah of Tanjore, amounting " to four lacks of rupees [40,000*l.*]." The territorial revenue, at that time possessed by these gentlemen, without the knowledge or consent of their masters, amounted to three hundred and sixty thousand pounds sterling annually. They were making rapid strides to the entire possession of the country, when the directors, whom the right honourable gentleman states as having authorized these proceedings, were kept in such profound ignorance of this royal acquisition of territorial revenue by their servants, that in the same letter they say, " this assignment was obtained by *three* " *of the members of your board*, in January 1767,

" yet

" yet we do not find the *least trace* of it upon your
" consultations, until August 1768, nor do any
" of your letters to us afford any information re-
" lative to such transactions, till the 1st of No-
" vember 1768. By your last letters of the 8th of
" May, 1769, you bring the whole proceedings to
" light in one view."

As to the previous knowledge of the company, and its sanction to the debts, you see that this assertion of that knowledge is utterly unfounded. But did the directors approve of it, and ratify the transaction when it was known? The very reverse. On the same 3d of March, the directors declare, " upon an *impartial examination* of the whole con-
" duct of our late governour and council of Fort
" George (Madras) and on the fullest consideration,
" that the said governour and council have, *in no-*
" *torious violation of the trust* reposed in them,
" manifestly *preferred the interest of private indi-*
" *viduals to that of the company*, in permitting the
" assignment of the revenues of certain valuable
" districts, to a very large amount, from the na-
" bob to individuals,"—and then highly aggravat-
ing their crimes, they add " we order and direct
" that you do examine, in the most impartial
" manner, all the above-mentioned transactions;
" and that you *punish* by suspension, degradation,
" dismission, or otherwise, as to you shall seem
" meet, all and every such servant or servants of
" the

"the company, who may by you be found guilty "of any of the above offences." "We had (say "the directors) the mortification to find that the "servants of the company, who had been *raised*, "*supported, and owed their present opulence to the* "*advantages* gained in such service, have in this "instance most *unfaithfully betrayed* their trust, "*abandoned* the company's interest, and *prostituted* "its influence to accomplish the *purposes of indivi-* "*duals, whilst the interest of the company is almost* "*wholly neglected*, and payment to us rendered ex- "tremely precarious." Here then is the rock of approbation of the court of directors, on which the right honourable gentleman says this debt was founded. Any member, Mr. Speaker, who should come into the house, on my reading this sentence of condemnation of the court of directors against their unfaithful servants, might well imagine that he had heard an harsh, severe, unqualified invective against the present ministerial board of control. So exactly do the proceedings of the patrons of this abuse tally with those of the actors in it, that the expressions used in the condemnation of the one, may serve for the reprobation of the other, without the change of a word.

To read you all the expressions of wrath and indignation fulminated in this dispatch against the meritorious creditors of the right honourable gentleman,

tleman, who according to him have been so fully approved by the company, would be to read the whole.

The right honourable gentleman, with an address peculiar to himself, every now and then slides in the presidency of Madras, as synonimous to the company. That the presidency did approve the debt, is certain. But the right honourable gentleman, as prudent in suppressing, as skilful in bringing forward his matter, has not chosen to tell you that the presidency, were the very persons guilty of contracting this loan; creditors themselves, and agents and trustees for all the other creditors. For this the court of directors accuse them of breach of trust; and for this the right honourable gentleman considers them as perfectly good authority for those claims. It is pleasant to hear a gentleman of the law quote the approbation of creditors as an authority for their own debt.

How they came to contract the debt to themselves, how they came to act as agents for those whom they ought to have controlled, is for your inquiry. The policy of this debt was announced to the court of directors, by the very persons concerned in creating it. "Till very lately," (say the presidency) "the nabob placed his dependence "on the company. Now he has been taught "by ill-advisers, that an interest out of doors may "stand him in good stead. He has been made to

"believe

"believe that *his private creditors have power and* "*interest to over-rule the court of directors**." The nabob was not misinformed. The private creditors instantly qualified a vast number of votes; and having made themselves masters of the court of proprietors, as well as extending a powerful cabal in other places as important, they so completely overturned the authority of the court of directors at home and abroad, that this poor baffled government was soon obliged to lower its tone. It was glad to be admitted into partnership with his own servants. The court of directors establishing the debt which they had reprobated as a breach of trust, and which was planned for the subversion of their authority, settled its payments on a par with those of the publick; and even so were not able to obtain peace or even equality in their demands. All the consequences lay in a regular and irresistible train. By employing their influence for the recovery of this debt, their orders, issued in the same breath, against creating new debts, only animated the strong desires of their

* For the threats of the creditors, and total subversion of the authority of the company in favour of the nabob's power, and the increase thereby of his evil dispositions, and the great derangement of all publick concerns, see select committee Fort St. George's letters, 21st November, 1769, and January 31st 1770; September 11, 1772. And governour Bourchier's letters to the nabob of Arcot, 21st November, 1769, and December 9th, 1769.

servants to this prohibited prolifick spot, and it soon produced a swarm of sons and daughters, not in the least degenerated from the virtue of their parents.

From that moment, the authority of the court of directors expired in the Carnatick, and every where else. "Every man," says the presidency, "who opposes the government and its measures, "finds an immediate countenance from the nabob; "even our discarded officers, however unworthy, "are received into the nabob's service*." It was indeed a matter of no wonderful sagacity to determine whether the court of directors, with their miserable salaries to their servants, of four or five hundred pounds a year, or the distributor of millions, was most likely to be obeyed. It was an invention beyond the imagination of all the speculatists of our speculating age, to see a government quietly settled in one and the same town, composed of two distinct members; one to pay scantily for obedience, and the other to bribe high for rebellion and revolt.

* "He [the nabob] is in a great degree the cause of our "present inability; by diverting the revenues of the Car-"natick through *private channels*."—"Even this Peshcush "[the Tanjore tribute] circumstanced as he and we are, he "has assigned over to others, *who now set themselves in opposi-"tion to the company*." Consultations, October 11, 1769, "on the 12th communicated to the nabob.

The

The next thing which recommends this particular debt to the right honourable gentleman is, it seems, the moderate interest of ten *per cent.* It would be lost labour to observe on this assertion. The nabob, in a long apologetick letter* for the transaction between him and the body of the creditors, states the fact, as I shall state it to you. In the accumulation of this debt, the first interest paid was from thirty to thirty-six *per cent.* it was then brought down to twenty-five *per cent.* at length it was reduced to twenty; and there it found its rest. During the whole process, as often as any of these monstrous interests fell into an arrear, (into which they were continually falling) the arrear, formed into a new capital†, was added to the old, and the same interest of twenty *per cent.* accrued upon both. The company, having got some scent of the enormous usury which prevailed

* Nabob's letter to governour Palk. Papers published by the directors in 1775; and papers printed by the same authority, 1781.

† See papers printed by order of a general court in 1780, p. 222, and p. 224, as also nabob's letter to governour Dupré, 19th July, 1771, "I have taken up loans by which I have "suffered a loss of *upwards of a score of pagodas* [four millions sterling] *by interest on an heavy interest.*"—Letter 15th January, 1772, "Notwithstanding I have taken much trouble, "and have made many payments to my creditors, yet the load "of my debt, *which became so great, by interest and compound* "*interest*, is not clear."

at Madras, thought it necessary to interfere, and to order all interests to be lowered to ten *per cent.* This order, which contained no exception, though it by no means pointed particularly to this class of debts, came like a thunder-clap on the nabob. He considered his political credit as ruined; but to find a remedy to this unexpected evil, he again added to the old principal twenty *per cent.* interest accruing for the last year. Thus a new fund was formed; and it was on that accumulation of various principals, and interests heaped upon interests, not on the sum originally lent, as the right honourable gentleman would make you believe, that ten *per cent.* was settled on the whole.

When you consider the enormity of the interest at which these debts were contracted, and the several interests added to the principal, I believe you will not think me so sceptical, if I should doubt, whether for this debt of 880,000*l.* the nabob ever saw 100,000*l.* in real money. The right honourable gentleman suspecting, with all his absolute dominion over fact, that he never will be able to defend even this venerable patriarchal job, though sanctified by its numerous issue, and hoary with prescriptive years, has recourse to recrimination, the last resource of guilt. He says that this loan of 1767 was provided for in Mr. Fox's India bill; and judging of others by his own nature and principles, he more than insinuates, that this provision

was

was made, not from any sense of merit in the claim, but from partiality to general Smith, a proprietor, and an agent for that debt. If partiality could have had any weight against justice and policy, with the then ministers and their friends, general Smith had titles to it. But the right honourable gentleman knows as well as I do, that general Smith was very far from looking on himself as partially treated in the arrangements of that time; indeed what man dare to hope for private partiality in that sacred plan for relief to nations?

It is not necessary that the right honourable gentleman should sarcastically call that time to our recollection. Well do I remember every circumstance of that memorable period. God forbid I should forget it. O illustrious disgrace! O victorious defeat! may your memorial be fresh and new to the latest generations! May the day of that generous conflict be stamped in characters never to be cancelled or worn out from the records of time! Let no man hear of us, who shall not hear that in a struggle against the intrigues of courts, and the perfidious levity of the multitude, we fell in the cause of honour, in the cause of our country, in the cause of human nature itself! But if fortune should be as powerful over fame, as she has been prevalent over virtue, at least our conscience is beyond her jurisdiction. My poor share

in the support of that great measure, no man shall ravish from me. It shall be safely lodged in the sanctuary of my heart; never, never to be torn from thence, but with those holds that grapple it to life.

I say, I well remember that bill, and every one of its honest and its wise provisions. It is not true that this debt was ever protected or inforced, or any revenue whatsoever set apart for it. It was left in that bill just where it stood; to be paid or not to be paid out of the nabob's private treasures, according to his own discretion. The company had actually given it their sanction; though always relying for its validity on the sole security of the faith of him,* who without their knowledge or consent entered into the original obligation. It had no other sanction; it ought to have had no other. So far was Mr. Fox's bill from providing *funds* for it, as this ministry have wickedly done for this, and for ten times worse transactions, out of the publick estate, that an express clause immediately preceded, positively forbidding any British subject from receiving assignments upon any part of the territorial revenue, on any pretence whatsoever†.

You recollect, Mr. Speaker, that the chancellor of the exchequer strongly professed to retain every part of Mr. Fox's bill, which was intended to pre-

* The nabob of Arcot. † Appendix, No. 3.

vent

vent abuse; but in *his* India bill, which (let me do justice) is as able and skilful a performance for its own purposes, as ever issued from the wit of man, premeditating this iniquity—*hoc ipsum ut strueret Trojamque aperiret Achivis*, expunged this essential clause, broke down the fence which was raised to cover the publick property against the rapacity of his partisans, and thus levelling every obstruction, he made a firm, broad, highway for sin and death, for usury and oppression, to renew their ravages throughout the devoted revenues of the Carnatick.

The tenour, the policy, and the consequences of this debt of 1767, are, in the eyes of ministry, so excellent, that its merits are irresistible; and it takes the lead to give credit and countenance to all the rest. Along with this chosen body of heavy-armed infantry, and to support it, in the line, the right honourable gentleman has stationed his corps of black cavalry. If there be any advantage between this debt and that of 1769, according to him the cavalry debt has it. It is not a subject of defence; it is a theme of panegyrick. Listen to the right honourable gentleman, and you will find it was contracted to save the country; to prevent mutiny in armies; to introduce œconomy in revenues; and for all these honourable purposes, it originated at the express desire, and by the representative authority of the company itself.

First,

First, let me say a word to the authority. This debt was contracted not by the authority of the company, not by its representatives, (as the right honourable gentleman has the unparalleled confidence to assert) but in the ever-memorable period of 1777, by the usurped power of those who rebelliously, in conjunction with the nabob of Arcot, had overturned the lawful government of Madras. For that rebellion, this house unanimously directed a publick prosecution. The delinquents, after they had subverted government, in order to make to themselves a party to support them in their power, are universally known to have dealt jobs about to the right and to the left, and to any who were willing to receive them. This usurpation, which the right honourable gentleman well knows, was brought about by and for the great mass of these pretended debts, is the authority which is set up by him to represent the company; to represent that company which from the first moment of their hearing of this corrupt and fraudulent transaction, to this hour, have uniformly disowned and disavowed it.

So much for the authority. As to the facts, partly true, and partly colourable, as they stand recorded, they are in substance these.—The nabob of Arcot, as soon as he had thrown off the superiority of this country by means of these creditors, kept up a great army which he never paid. Of course, his soldiers were generally in a state of mutiny,

mutiny*. The usurping council say that they laboured hard with their master the nabob, to persuade him to reduce these mutinous and useless troops. He consented; but as usual, pleaded inability to pay them their arrears. Here was a difficulty. The nabob had no money; the company had no money; every publick supply was empty. But there was one resource which no season has ever yet dried up in that climate. The *soucars* were at hand; that is, private English money-jobbers offered their assistance. Messieurs Taylor, Majendie and Call, proposed to advance the small sum of 150,000*l.* to pay off the nabob's black cavalry, provided the company's authority was given for their loan. This was the great point of policy always aimed at, and pursued through a hundred devices by the servants at Madras. The presidency, who themselves had no authority for the functions they presumed to exercise, very readily gave the sanction of the company to those servants who knew that the company, whose sanction was demanded, had positively prohibited all such transactions.

However, so far as the reality of the dealing goes, all is hitherto fair and plausible; and here the right honourable gentleman concludes, with commendable prudence, his account of the business. But here it is I shall beg leave to commence

* See Mr. Dundas's 1st, 2d, and 3d reports.

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my supplement: for the gentleman's discreet modesty has led him to cut the thread of the story somewhat abruptly. One of the most essential parties is quite forgotten. Why should the episode of the poor nabob be omitted? When that prince chuses it, nobody can tell his story better. Excuse me, if I apply again to my book, and give it you from the first hand; from the nabob himself.

"Mr. Stratton became acquainted with this, "and got Mr. Taylor and others to lend me four "lacks of pagodas towards discharging the ar-"rears of pay of my troops. Upon this, I wrote "a letter of thanks to Mr. Stratton; and upon "the faith of this money being paid immediately, "I ordered many of my troops to be discharged "by a certain day, and lessened the number of my "servants. Mr. Taylor, &c. some time after ac-"quainted me, that they had no ready money, "but they would grant teeps payable in four "months. This astonished me; for I did not "know what might happen, when the sepoys "were dismissed from my service. I begged of "Mr. Taylor and the others to pay this sum to "the officers of my regiments at the time they "mentioned; and desired the officers, at the same "time, to pacify and persuade the men belonging "to them, that their pay would be given to them "*at the end of four months;* and that till those ar-"rears were discharged, their pay should be con-

"tinued

" tinued to them. *Two years* are nearly expired
" since that time, but Mr. Taylor has not yet en-
" tirely discharged the arrears of those troops, and
" I am obliged to continue their pay from that
" time till this. I hoped to have been able, by
" this expedient, to have lessened the number of
" my troops, and discharged the arrears due to
" them, considering the trifle of interest to Mr.
" Taylor, and the others, as no great matter; but
" instead of this, *I am oppressed with the burthen*
" *of pay due to those troops; and the interest, which*
" *is going on to Mr. Taylor from the day the teeps*
" *were granted to him.*" What I have read to you is an extract of a letter from the nabob of the Carnatick to governour Rumbold, dated the 22d, and received the 24th of March, 1779 *.

Suppose his highness not to be well broken in to things of this kind, it must indeed surprise so known and established a bond vender, as the nabob of Arcot, one who keeps himself the largest bond warehouse in the world, to find that he was now to receive in kind; not to take money for his obligations, but to give his bond in exchange for the bond of Messieurs Taylor, Majendie and Call, and to pay besides, a good smart interest, legally 12 *per cent.* (in reality perhaps twenty, or twenty-four *per cent.*) for this exchange of paper. But his troops were not to be so paid, or so dis-

* See further Consultations, 3d February, 1778.

banded.

handed. They wanted bread, and could not live by cutting and shuffling of bonds. The nabob still kept the troops in service, and was obliged to continue, as you have seen, the whole expence, to exonerate himself from which he became indebted to the soucars.

Had it stood here, the transaction would have been of the most audacious strain of fraud and usury, perhaps ever before discovered, whatever might have been practised and concealed. But the same authority (I mean the nabob's) brings before you something if possible more striking. He states, that for this their paper, he immediately handed over to these gentlemen something very different from paper; that is, the receipt of a territorial revenue, of which it seems they continued as long in possession as the nabob himself continued in possession of any thing. Their payments therefore not being to commence before the end of four months, and not being completed in two years, it must be presumed (unless they proved the contrary) that their payments to the nabob were made out of the revenues they had received from his assignment. Thus they condescended to accumulate a debt of 160,000*l.* with an interest of 12 *per cent.* in compensation for a lingering payment to the nabob of 160,000*l.* of his own money.

Still we have not the whole: about two years after the assignment of those territorial revenues

to

to these gentlemen, the nabob receives a remonstrance from his chief manager, in a principal province, of which this is the tenour—" The *entire* " revenue of those districts is by your highness's " order set apart to discharge the tuncaws [as- " signments] granted to the Europeans. The go- " mastahs [agents] of Mr. Taylor, to Mr. De " Fries, are there in order to collect those tun- " caws; and as they receive *all* the revenue that " is collected, your highness's troops have *seven* " *or eight months pay due*, which they cannot re- " ceive, and are thereby reduced to the greatest " *distress*. *In such times*, it is highly necessary " to provide for the sustenance of the troops that " they may be ready to exert themselves in the " service of your highness."

Here, Sir, you see how these causes and effects act upon one another. One body of troops mutinies for want of pay; a debt is contracted to pay them; and they still remain unpaid. A territory destined to pay other troops, is assigned for this debt; and these other troops fall into the same state of indigence and mutiny with the first. Bond is paid by bond; arrear is turned into new arrear; usury engenders new usury; mutiny suspended in one quarter, starts up in another; until all the revenues, and all the establishments are entangled into one inextricable knot of confusion, from which they are only disengaged by being entirely destroyed.

destroyed. In that state of confusion, in a very few months after the date of the memorial I have just read to you, things were found, when the nabob's troops, famished to feed English soucars, instead of defending the country, joined the invaders, and deserted in entire bodies to Hyder Ali *.

The manner in which this transaction was carried on, shews that good examples are not easily forgot, especially by those who are bred in a great school. One of those splendid examples give me leave to mention, at a somewhat more early period, because one fraud furnishes light to the discovery of another, and so on, until the whole secret of mysterious iniquity bursts upon you in a blaze of detection. The paper I shall read you, is not on record. If you please you may take it on my word, It is a letter written from one of undoubted information in Madras, to Sir John Clavering, describing the practice that prevailed there, whilst the company's allies were under sale, during the time of governour Winch's administration.

" —— One mode," says Clavering's correspondent, " of amassing money at the nabob's cost is " curious. He is generally in arrears to the com-

* Mr. Dundas's 1st report, p. 26, 29, and Appendix, No. 2, 10, 18, for the mutinous state and desertion of the nabob's troops for want of pay. See also report 4, of the same committee.

" pany.

"pany. Here the governour, being cash-keeper, "is generally on good terms with the banker, "who manages matters thus: The governour "presses the nabob for the balance due from him; "the nabob flies to his banker for relief; the "banker engages to pay the money, and grants "his notes accordingly, which he puts in the cash-"book as ready money; the nabob pays him an "interest for it at *two and three per cent. per "mensem*, till the tunkaws he grants on the parti-"cular districts for it are paid. Matters in the "mean time are so managed, that there is no call "for this money for the company's service, till the "tunkaws become due. By this means not a cash "is advanced by the banker, though he receives "a heavy interest from the nabob, which is di-"vided as lawful spoil."

Here, Mr. Speaker, you have the whole art and mystery, the true free-mason secret of the profession of *soucaring;* by which a few innocent, inexperienced young Englishmen, such as Mr. Paul Benfield, for instance, without property upon which any one would lend to themselves a single shilling, are enabled at once to take provinces in mortgage, to make princes their debtors, and to become creditors for millions.

But it seems the right honourable gentleman's favourite soucar cavalry, have proved the payment before the mayor's court at Madras! Have they so?

so? Why then defraud our anxiety and their characters of that proof? Is it not enough that the charges which I have laid before you, have stood on record against these poor injured gentlemen for eight years? Is it not enough that they are in print by the orders of the East-India company for five years? After these gentlemen have borne all the odium of this publication, and all the indignation of the directors, with such unexampled equanimity, now that they are at length stimulated into feeling, are you to deny them their just relief? But will the right honourable gentleman be pleased to tell us, how they came not to give this satisfaction to the court of directors, their lawful masters, during all the eight years of this litigated claim? Were they not bound, by every tie that can bind man, to give them this satisfaction? This day, for the first time, we hear of the proofs. But when were these proofs offered? In what cause? Who were the parties? Who inspected? Who contested this belated account? Let us see something to oppose to the body of record which appears against them. The mayor's court! the mayor's court! Pleasant! Does not the honourable gentleman know, that the first corps of creditors (the creditors of 1767) stated it as a sort of hardship to them, that they could not have justice at Madras, from the impossibility of their supporting their claims in the mayor's court?

Why? because, say they, the members of that court were themselves creditors, and therefore could not sit as judges*. Are we ripe to say that no creditor under similar circumstances was member of the court, when the payment which is the ground of this cavalry debt was put in proof†? Nay, are we not in a manner compelled to conclude, that the court was so constituted, when we know there is scarcely a man in Madras, who has not some participation in these transactions? It is a shame to hear such proofs mentioned, instead of the honest vigorous scrutiny which the circumstances of such an affair so indispensably calls for.

But his majesty's ministers, indulgent enough to other scrutinies, have not been satisfied with authorizing the payment of this demand without such inquiry as the act has prescribed; but they

* Memorial from the creditors to the governour and council, 22d January, 1770.

† In the year 1778, Mr. James Call, one of the proprietors of this specifick debt, was actually mayor. Appendix to 2d report of Mr. Dundas's committee, No. 65.—The only proof which appeared on the inquiry instituted in the general court of 1781, was an affidavit of the *lenders themselves*, deposing (what nobody ever denied) that they had *engaged* and *agreed* to pay—not that they *had* paid the sum of 160,000*l.* This was two years after the transaction; and the affidavit is made before George Proctor, mayor, an attorney for certain of the old creditors. Proceedings of the president and council of Fort Saint George, 22d February, 1779.

have

have added the arrear of twelve *per cent.* interest, from the year 1777 to the year 1784, to make a new capital, raising thereby 160 to 294,000*l.* Then they charge a new twelve *per cent.* on the whole from that period, for a transaction, in which it will be a miracle if a single penny will be ever found really advanced from the private stock of the pretended creditors.

In this manner, and at such an interest, the ministers have thought proper to dispose of 294,000*l.* of the publick revenues, for what is called the *cavalry loan.* After dispatching this, the right honourable gentleman leads to battle his last grand division, the consolidated debt of 1777. But having exhausted all his panegyrick on the two first, he has nothing at all to say in favour of the last. On the contrary, he admits that it was contracted in defiance of the company's orders, without even the pretended sanction of any pretended representatives. Nobody, indeed, has yet been found hardy enough to stand forth avowedly in its defence. But it is little to the credit of the age, that what has not plausibility enough to find an advocate, has influence enough to obtain a protector. Could any man expect to find that protector any where? But what must every man think, when he finds that protector in the chairman of the committee of secrecy,* who had published

* Right honourable Henry Dundas.

lished to the house, and to the world, the facts that condemn these debts—the orders that forbid the incurring of them—the dreadful consequences which attended them. Even in his official letter, when he tramples on his parliamentary report, yet his general language is the same. Read the preface to this part of the ministerial arrangement, and you would imagine that this debt was to be crushed, with all the weight of indignation which could fall from a vigilant guardian of the publick treasury, upon those who attempted to rob it. What must be felt by every man who has feeling, when, after such a thundering preamble of condemnation, this debt is ordered to be paid without any sort of inquiry into its authenticity? without a single step taken to settle even the amount of the demand? without an attempt so much as to ascertain the real persons claiming a sum, which rises in the accounts from one million three hundred thousand pound sterling to two million four hundred thousand pound principal money *? without an attempt made to ascertain the proprietors, of whom no list has ever yet been laid before the court of directors; of proprietors who are known to be in a collusive shuffle, by which they never appear to be the same in any two lists, handed about for their own particular purposes?

* Appendix to the 4th report of Mr. Dundas's committee, No. 15.

My honourable friend who made you the motion, has sufficiently exposed the nature of this debt. He has stated to you that *its own agents* in the year 1781, in the arrangement *they proposed* to make at Calcutta, were satisfied to have twenty-five *per cent.* at once struck off from the capital of a great part of this debt; and prayed to have a provision made for this reduced principal, without any interest at all. This was an arrangement of their *own*, an arrangement made by those who best knew the true constitution of their own debt; who knew how little favour it merited,* and how little hopes they had to find any persons in authority abandoned enough to support it as it stood.

But what corrupt men, in the fond imaginations of a sanguine avarice, had not the confidence to propose, they have found a chancellor of the ex-

* "No sense of the common danger, in case of a war, can "prevail on him [the nabob of Arcot] to furnish the com-"pany with what is absolutely necessary to assemble an army, "though it is beyond a doubt, that money to a large amount "is now hoarded up in his coffers at Chepauk; and tankaws "are granted to *individuals*, upon some of his most *valuable* "*countries*, for payment of part of those debts which he has "contracted, and *which certainly will not bear inspection, as* "*neither debtor nor creditors have ever had the confidence to* "*submit the accounts to our examination*, though they expressed "a wish to consolidate the debts under the auspices of this "government, agreeably to a plan they had formed." Madras Consultations, 20th July, 1778. Mr. Dundas's Appendix to 2d Report, 143. See also last Appendix to ditto Report, No. 376. B.

chequer in England hardy enough to undertake for them. He has cheered their drooping spirits. He has thanked the peculators for not despairing of their commonwealth. He has told them they were too modest. He has replaced the twenty-five *per cent.* which, in order to lighten themselves they had abandoned in their conscious terrour. Instead of cutting off the interest, as they had themselves consented to do, with the fourth of the capital, he has added the whole growth of four years usury of twelve *per cent.* to the first overgrown principal; and has again grafted on this meliorated stock a perpetual annuity of six *per cent.* to take place from the year 1781. Let no man hereafter talk of the decaying energies of nature. All the acts and monuments in the records of peculation; the consolidated corruption of ages; the patterns of exemplary plunder in the heroick times of Roman iniquity, never equalled the gigantick corruption of this single act. Never did Nero, in all the insolent prodigality of despotism, deal out to his prætorian guards a donation fit to be named with the largess showered down by the bounty of our chancellor of the exchequer on the faithful band of his Indian sepoys.

The right honourable gentleman * lets you freely and voluntarily into the whole transaction. So perfectly has his conduct confounded his understanding,

* Mr. Dundas.

derstanding, that he fairly tells you, that through the course of the whole business he has never conferred with any but the agents of the pretended creditors. After this, do you want more to establish a secret understanding with the parties? to fix, beyond a doubt, their collusion and participation in a common fraud?

If this were not enough, he has furnished you with other presumptions that are not to be shaken. It is one of the known indications of guilt to stagger and prevaricate in a story; and to vary in the motives that are assigned to conduct. Try these ministers by this rule. In their official dispatch, they tell the presidency of Madras, that they have established the debt for two reasons; first, because the nabob (the party indebted) does not dispute it; secondly, because it is mischievous to keep it longer afloat; and that the payment of the European creditors will promote circulation in the country. These two motives (for the plainest reasons in the world) the right honourable gentleman has this day thought fit totally to abandon. In the first place, he rejects the authority of the nabob of Arcot. It would indeed be pleasant to see him adhere to this exploded testimony. He next, upon grounds equally solid, abandons the benefits of that circulation, which was to be produced by drawing out all the juices of the body. Laying aside, or forgetting these pretences of his dispatch,

dispatch, he has just now assumed a principle totally different, but to the full as extraordinary. He proceeds upon a supposition, that many of the claims may be fictitious. He then finds, that in a case where many valid and many fraudulent claims are blended together, the best course for their discrimination is indiscriminately to establish them all. He trusts (I suppose) as there may not be a fund sufficient for every description of creditors, that the best warranted claimants will exert themselves in bringing to light those debts which will not bear an inquiry. What he will not do himself, he is persuaded will be done by others; and for this purpose he leaves to any person a general power of excepting to the debt. This total change of language and prevarication in principle, is enough, if it stood alone, to fix the presumption of unfair dealing. His dispatch assigns motives of policy, concord, trade, and circulation. His speech proclaims discord and litigations; and proposes, as the ultimate end, detection.

But he may shift his reasons, and wind, and turn as he will, confusion waits him at all his doubles. Who will undertake this detection? Will the nabob? But the right honourable gentleman has himself this moment told us, that no prince of the country can by any motive be prevailed upon to discover any fraud that is practised upon him by the company's servants. He says

says what (with the exception of the complaint against the cavalry loan) all the world knows to be true: and without that prince's concurrence, what evidence can be had of the fraud of any the smallest of these demands? The ministers never authorized any person to enter into his exchequer, and to search his records. Why then this shameful and insulting mockery of a pretended contest? Already contests for a preference have arisen among these rival bond creditors. Has not the company itself struggled for a preference for years, without any attempt at detection of the nature of those debts with which they contended? Well is the nabob of Arcot attended to in the only specifick complaint he has ever made. He complained of unfair dealing in the cavalry loan. It is fixed upon him with interest on interest; and this loan is excepted from all power of litigation.

This day, and not before, the right honourable gentleman thinks that the general establishment of all claims is the surest way of laying open the fraud of some of them. In India this is a reach of deep policy. But what would be thought of this mode of acting on a demand upon the treasury in England? Instead of all this cunning, is there not one plain way open, that is, to put the burthen of the proof on those who make the demand? Ought not ministry to have said to the creditors, "The person who admits your debt "stands excepted to as evidence; he stands "charged

" charged as a collusive party, to hand over the
" publick revenues to you for sinister purposes?
" You say, you have a demand of some millions
" on the Indian treasury; prove that you have
" acted by lawful authority; prove at least that
" your money has been *bonâ fide* advanced; entitle
" yourself to my protection, by the fairness and
" fulness of the communications you make." Did an honest creditor ever refuse that reasonable and honest test?

There is little doubt, that several individuals have been seduced by the purveyors to the nabob of Arcot, to put their money (perhaps the whole of honest and laborious earnings) into their hands, and that at such high interest, as, being condemned at law, leaves them at the mercy of the great managers whom they trusted. These seduced creditors are probably persons of no power or interest either in England or India, and may be just objects of compassion. By taking, in this arrangement, no measures for discrimination and discovery, the fraudulent and the fair are in the first instance confounded in one mass. The subsequent selection and distribution is left to the nabob. With him the agents and instruments of his corruption, whom he sees to be omnipotent in England, and who may serve him in future, as they have done in times past, will have precedence, if not an exclusive preference. These leading interests

rests domineer, and have always domineered, over the whole. By this arrangement, the persons seduced are made dependant on their seducers; honesty (comparative honesty at least) must become of the party of fraud, and must quit its proper character, and its just claims, to entitle itself to the alms of bribery and peculation.

But be these English creditors what they may, the creditors, most certainly not fraudulent, are the natives, who are numerous and wretched indeed: by exhausting the whole revenues of the Carnatick, nothing is left for them. They lent *bonâ fide;* in all probability they were even forced to lend, or to give goods and service to the nabob's obligations. They had no trusts to carry to his market. They had no faith of alliances to sell. They had no nations to betray to robbery and ruin. They had no lawful government seditiously to overturn; nor had they a governour, to whom it is owing that you exist in India, to deliver over to captivity, and to death, in a shameful prison *.

These were the merits of the principal part of the debt of 1777, and the universally conceived causes of its growth; and thus the unhappy natives are deprived of every hope of payment for their real debts, to make provision for the arrears of unsatisfied bribery and treason. You see in this instance, that the presumption of guilt is not

* Lord Pigot.

only

only no exception to the demands on the publick treasury; but with these ministers it is a necessary condition to their support. But that you may not think this preference solely owing to their known contempt of the natives, who ought with every generous mind to claim their first charities; yon will find the same rule religiously observed with Europeans too. Attend, Sir, to this decisive case.—Since the beginning of the war, besides arrears of every kind, a bond debt has been contracted at Madras, uncertain in its amount, but represented from four hundred thousand pound to a million sterling. It stands only at the low interest of eight *per cent*. Of the legal authority on which this debt was contracted, of its purposes for the very being of the state, of its publicity and fairness, no doubt has been entertained for a moment. For this debt, no sort of provision whatever has been made. It is rejected as an outcast, whilst the whole undissipated attentton of the minister has been employed for the discharge of claims entitled to his favour by the merits we have seen.

I have endeavoured to find out, if possible, the amount of the whole of those demands, in order to see how much, supposing the country in a condition to furnish the fund, may remain to satisfy the publick debt and the necessary establishments.

But

But I have been foiled in my attempt. About one fourth, that is about 220,000*l.* of the loan of 1767, remains unpaid. How much interest is in arrear, I could never discover; seven or eight years at least, which would make the whole of that debt about 396,000*l.* This stock, which the ministers in their instructions to the governour of Madras state as the least exceptionable, they have thought proper to distinguish by a marked severity, leaving it the only one, on which the interest is not added to the principal, to beget a new interest.

The cavalry loan, by the operation of the same authority, is made up to 294,000*l.* and this 294,000*l.* made up of principal and interest, is crowned with a new interest of twelve *per cent.*

What the grand loan, the bribery loan of 1777, may be, is amongst the deepest mysteries of state. It is probably the first debt ever assuming the title of consolidation, that did not express what the amount of the sum consolidated was. It is little less than a contradiction in terms. In the debt of the year 1767, the sum was stated in the act of consolidation, and made to amount to 880,000*l.* capital. When this consolidation of 1777 was first announced at the Durbar, it was represented authentically at 2,400,000*l.* In that, or rather in a higher state, Sir Thomas Rumbold found and condemned

condemned it *. It afterwards fell into such a terrour, as to sweat away a million of its weight at once; and it sunk to 1,400,000*l.* †. However it never was without a resource for recruiting it to its old plumpness. There was a sort of floating

* In Sir Thomas Rumbold's letter to the court of directors, March 15th, 1778, he represents it as higher, in the following manner:—"How shall I paint to you my astonishment "on my arrival here, when I was informed that independent "of this four lacks of pagodas [the cavalry loan]; independent of the nabob's debt to his old creditors, and the "money due to the company; he had contracted a debt to "the enormous amount of sixty-three lacks of pagodas "[2,520,000*l.*] I mention this circumstance to you *with* "*horrour*; for the creditors being in general *servants of the* "*company*, renders my task on the part of the company, "*difficult and invidious*."—"I have freed the sanction of this "government from *so corrupt* a transaction. It is in my mind "the most venal of all proceedings, to give the company's "protection to debts that cannot bear the light; and though "it appears exceedingly alarming, that a country, on which "you are to depend for resources, should be so involved, as "to be nearly three years revenue in debt: in a country too, "where one year's revenue can never be called *secure*, by "men who know any thing of the politicks of this part of "India."—"I think it proper to mention to you, that although the *nabob reports his private debt to amount to upwards of sixty lacks*, yet I understand that it is not quite so "much." Afterwards Sir Thomas Rumbold recommended this debt to the favourable attention of the company, but without any sufficient reason for his change of disposition. However he went no further.

† Nabob's proposals, November 25th, 1778; and memorial of the creditors, March 1st, 1799.

debt

debt of about 4 or 500,000*l.* more ready to be added, as occasion should require.

In short, when you pressed this sensitive plant, it always contracted its dimensions. When the rude hand of inquiry was withdrawn, it expanded in all the luxuriant vigour of its original vegetation. In the treaty of 1781, the whole of the nabob's debt to private Europeans is by Mr. Sullivan, agent to the nabob and his creditors, stated at 2,800,000*l.* which (if the cavalry loan, and the remains of the debt of 1767, be subtracted) leaves it nearly at the amount originally declared at the Durbar, in 1777. But then there is a private instruction to Mr. Sullivan, which it seems will reduce it again to the lower standard of 1,400,000*l.* Failing in all my attempts by a direct account, to ascertain the extent of the capital claimed, (where in all probability no capital was ever advanced) I endeavoured, if possible, to discover it by the interest which was to be paid. For that purpose, I looked to the several agreements for assigning the territories of the Carnatick to secure the principal and interest of this debt. In one of them * I found in a sort of postscript, by way of an additional remark, (not in the body of the obligation) the debt represented at 1,400,000*l.* But when I computed the sums to be paid for in-

* Nabob's proposals to his new consolidated creditors, November 25th, 1778.

terest

terest by instalments in another paper, I found they produced an interest of two millions, at twelve *per cent.* and the assignment supposed, that if these instalments might exceed, they might also fall short of the real provision for that interest *.

Another instalment bond was afterwards granted. In that bond the interest exactly tallies with a capital of 1,400,000 *l* †. But pursuing this capital through the correspondence, I lost sight of it again, and it was asserted that this instalment bond was considerably short of the interest that ought to be computed to the time mentioned ‡. Here are, therefore, two statements of equal authority, differing at least a million from each other; and as neither persons claiming, nor any special sum as belonging to each particular claimant, is ascertained in the instruments of consolidation, or in the instalment bonds, a large scope was left to throw in any sums for any persons, as their merits in advancing the interest of that loan might require; a power was also left for reduction, in case a harder hand, or more scanty funds, might be found to require it. Stronger grounds for a presumption of fraud never appeared in any transaction. But the ministers, faithful to the plan of the interested persons, whom alone they

* Paper signed by the nabob, 6th January, 1780.

† Kistbundi to July 31, 1780.

‡ Governour's letter to the nabob, 25th July, 1779.

thought

thought fit to confer with on this occasion, have ordered the payment of the whole mass of these unknown unliquidated sums, without an attempt to ascertain them. On this conduct, Sir, I leave you to make your own reflections.

It is impossible (at least I have found it impossible) to fix on the real amount of the pretended debts with which your ministers have thought proper to load the Carnatick. They are obscure; they shun inquiry; they are enormous. That is all you know of them.

That you may judge what chance any honourable and useful end of government has for a provision that comes in for the leavings of these gluttonous demands, I must take it on myself to bring before you the real condition of that abused, insulted, racked, and ruined country; though in truth my mind revolts from it; for though you will hear it with horrour; and I confess I tremble when I think on these awful and confounding dispensations of Providence. I shall first trouble you with a few words as to the cause.

The great fortunes made in India in the beginnings of conquest, naturally excited an emulation in all the parts, and through the whole succession of the company's service. But in the company it gave rise to other sentiments. They did not find the new channels of acquisition flow with equal riches to them. On the contrary, the high flood-

flood-tide of private emolument was generally in the lowest ebb of their affairs. They began also to fear, that the fortune of war might take away what the fortune of war had given. Wars were accordingly discouraged by repeated injunctions and menaces; and that the servants might not be bribed into them by the native princes, they were strictly forbidden to take any money whatsoever from their hands. But vehement passion is ingenious in resources. The company's servants were not only stimulated, but better instructed by the prohibition. They soon fell upon a contrivance which answered their purposes far better than the methods which were forbidden; though in this also they violated an ancient, but they thought, an abrogated order. They reversed their proceedings. Instead of receiving presents, they made loans. Instead of carrying on wars in their own name, they contrived an authority, at once irresistible and irresponsible, in whose name they might ravage at pleasure; and being thus freed from all restraint, they indulged themselves in the most extravagant speculations of plunder. The cabal of creditors who have been the object of the late bountiful grant from his majesty's ministers, in order to possess themselves, under the name of creditors and assignees, of every country in India, as fast as it should be conquered, inspired into the mind of the nabob of Arcot (then a dependant

pendant on the company of the humblest order) a scheme of the most wild and desperate ambition that I believe ever was admitted into the thoughts of a man so situated *. First, they persuaded him to consider himself as a principal member in the political system of Europe. In the next place they held out to him, and he readily imbibed, the idea of the general empire of Indostan. As a preliminary to this undertaking, they prevailed on him to propose a tripartite division of that vast country. One part to the company; another to the Marattas; and the third to himself. To himself he reserved all the southern part of the great peninsula, comprehended under the general name of the Decan.

On this scheme of their servants, the company was to appear in the Carnatick in no other light than as a contractor for the provision of armies, and the hire of mercenaries for his use, and under his direction. This disposition was to be secured by the nabob's putting himself under the guarantee of France; and by the means of that rival nation, preventing the English for ever from assuming an equality, much less a superiority in the

* Report of the select committee, Madras Consultations, January 7, 1771. See also papers published by the order of the court of directors in 1776; and lord Macartney's correspondence with Mr. Hastings and the nabob of Arcot. See also Mr. Dundas's Appendix, No. 376, B. Nabob's propositions through Mr. Sullivan and Assam Khân, Art. 6. and indeed the whole.

Carnatick.

Carnatick. In pursuance of this treasonable project (treasonable on the part of the English) they extinguished the company as a sovereign power in that part of India; they withdrew the company's garrisons out of all the forts and strong holds of the Carnatick; they declined to receive the ambassadors from foreign courts, and remitted them to the nabob of Arcot; they fell upon, and totally destroyed the oldest ally of the company, the king of Tanjore, and plundered the country to the amount of near five millions sterling; one after another, in the nabob's name, but with English force, they brought into a miserable servitude all the princes, and great independent nobility of a vast country*. In proportion to these treasons and violences, which ruined the people, the fund of the nabob's debt grew and flourished.

Among the victims to this magnificent plan of universal plunder, worthy of the heroick avarice of the projectors, you have all heard (and he has

* "The principal object of the expedition is to get money "from Tanjore to pay the nabob's debt: if a surplus, to be "applied in discharge of the nabob's debts to his private credi-"tors." Consultations, March 20, 1771; and for further lights, Consultations, 12th June, 1771. "We are alarmed lest "this debt to *individuals* should have been the *real* motive for "the aggrandizement of Mahomed Ali [the nabob of Arcot] "and that *we are plunged into a war* to put him in possession "of the Mysore revenues *for the discharge of the debt.*" Letter from the Directors, March 17, 1769.

made himself to be well remembered) of an Indian chief called Hyder Ali Khan. This man possessed the western, as the company under the name of the nabob of Arcot does the eastern, division of the Carnatick. It was among the leading measures in the design of this cabal (according to their own emphatick language) to *extirpate* this Hyder Ali*. They declared the nabob of Arcot to be his sovereign, and himself to be a rebel, and publickly invested their instrument with the sovereignty of the kingdom of Mysore. But their victim was not of the passive kind. They were soon obliged to conclude a treaty of peace and close alliance with this rebel, at the gates of Madras. Both before and since this treaty, every principle of policy pointed out this power as a natural alliance; and on his part, it was courted by every sort of amicable office. But the cabinet council of English creditors would not suffer their nabob of Arcot to sign the treaty, nor even to give to a prince, at least his equal, the ordinary titles of respect and courtesy †. From that time forward, a continued plot was carried on within the divan, black and white, of the nabob of Arcot,

* Letter from the nabob, May 1st, 1768; and ditto, 24th April, 1770, 1st October; ditto, 16th September, 1772, 16th March, 1773.

† Letter from the presidency at Madras to the court of Directors, 27th June, 1769.

for

for the destruction of Hyder Ali. As to the outward members of the double, or rather treble government of Madras, which had signed the treaty, they were always prevented by some overruling influence (which they do not describe, but which cannot be misunderstood) from performing what justice and interest combined so evidently to enforce *.

When at length Hyder Ali found that he had to do with men who either would sign no convention, or whom no treaty, and no signature could bind, and who were the determined enemies of human intercourse itself, he decreed to make the country possessed by these incorrigible and predestinated criminals a memorable example to mankind. He resolved, in the gloomy recesses of a mind capacious of such things, to leave the whole Carnatick an everlasting monument of vengeance, and to put perpetual desolation as a barrier between him and those, against whom the faith which holds the moral elements of the world together was no protection. He became at length so confident of his force, so collected in his might, that he made no secret whatsoever of his dreadful resolution. Having terminated his disputes with every enemy, and every rival, who buried their mutual animosities in their common detestation against the creditors of the nabob of Arcot, he

* Mr. Dundas's committee, Report 1. Appendix No. 29.

drew from every quarter whatever a savage ferocity could add to his new rudiments in the arts of destruction; and compounding all the materials of fury, havock, and desolation, into one black cloud, he hung for a while on the declivities of the mountains. Whilst the authors of all these evils were idly and stupidly gazing on this menacing meteor, which blackened all their horizon, it suddenly burst, and poured down the whole of its contents upon the plains of the Carnatic—Then ensued a scene of woe, the like of which no eye had seen, no heart conceived, and which no tongue can adequately tell. All the horrours of war before known or heard of, were mercy to that new havock. A storm of universal fire blasted every field, consumed every house, destroyed every temple. The miserable inhabitants flying from their flaming villages, in part were slaughtered; others, without regard to sex, to age, to the respect of rank, or sacredness of function, fathers torn from children, husbands from wives, enveloped in a whirlwind of cavalry, and amidst the goading spears of drivers, and the trampling of pursuing horses, were swept into captivity, in an unknown and hostile land. Those who were able to evade this tempest, fled to the walled cities. But escaping from fire, sword, and exile, they fell into the jaws of famine.

The alms of the settlement, in this dreadful exigency,

gency, were certainly liberal; and all was done by charity that private charity could do; but it was a people in beggary; it was a nation which stretched out its hands for food. For months together these creatures of sufferance, whose very excess and luxury in their most plenteous days had fallen short of the allowance of our austerest fasts, silent, patient, resigned, without sedition or disturbance, almost without complaint, perished by an hundred a day in the streets of Madras; every day seventy at least laid their bodies in the streets, or on the glacis of Tanjore, and expired of famine in the granary of India. I was going to awake your justice towards this unhappy part of our fellow citizens, by bringing before you some of the circumstances of this plague of hunger. Of all the calamities which beset and waylay the life of man, this comes the nearest to our heart, and is that wherein the proudest of us all feels himself to be nothing more than he is: but I find myself unable to manage it with decorum; these details are of a species of horror so nauseous and disgusting; they are so degrading to the sufferers and to the hearers; they are so humiliating to human nature itself, that, on better thoughts, I find it more adviseable to throw a pall over this hideous object, and to leave it to your general conceptions.

For

* For eighteen months, without intermission, this destruction raged from the gates of Madras to the gates of Tanjore; and so completely did these masters in their art, Hyder Ali, and his more ferocious son, absolve themselves of their impious vow, that when the British armies traversed, as they did, the Carnatick for hundreds of miles in all directions, through the whole line of their march they did not see one man, not one woman, not one child, not one four-footed beast of any description whatever. One dead uniform silence reigned over the whole region. With the inconsiderable exceptions of the narrow vicinage of some few forts, I wish to be understood as speaking literally;—I mean to produce to you more than three witnesses, above all exception, who will support this assertion in its full extent. That hurricane of war passed through every part of the central provinces of the Carnatick. Six or seven districts to the north and to the south (and these not wholly untouched) escaped the general ravage.

The Carnatick is a country not much inferiour in extent to England. Figure to yourself, Mr. Speaker, the land in whose representative chair you sit; figure to yourself the form and fashion

* Appendix No. 4, Report of the Committee of assigned Revenue.

of

of your sweet and chearful country from Thames to Trent, north and south, and from the Irish to the German sea east and west, emptied and embowelled (may God avert the omen of our crimes!) by so accomplished a desolation. Extend your imagination a little further, and then suppose your ministers taking a survey of this scene of waste and desolation; what would be your thoughts if you should be informed, that they were computing how much had been the amount of the excises, how much the customs, how much the land and malt tax, in order that they should charge (take it in the most favourable light) for publick service, upon the relicks of the satiated vengeance of relentless enemies, the whole of what England had yielded in the most exuberant seasons of peace and abundance? What would you call it? To call it tyranny, sublimed into madness, would be too faint an image; yet this very madness is the principle upon which the ministers at your right hand have proceeded in their estimate of the revenues of the Carnatick, when they were providing not supply for the establishments of its protection, but rewards for the authors of its ruin.

Every day you are fatigued and disgusted with this cant, "the Carnatick is a country that will "soon recover, and become instantly as prosper-"ous as ever." They think they are talking to innocents, who will believe that by sowing of dragons

upwards of eleven hundred, from the extent of two or three acres to five miles in circuit. From these reservoirs currents are occasionally drawn over the fields, and these watercourses again call for a considerable expence to keep them properly scoured and duly levelled. Taking the district in that map as a measure, there cannot be in the Carnatick and Tanjore fewer than ten thousand of these reservoirs of the larger and middling dimensions, to say nothing of those for domestick services, and the uses of religious purification. These are not the enterprises of your power, nor in a style of magnificence suited to the taste of your minister. These are the monuments of real kings, who were the fathers of their people; testators to a posterity which they embraced as their own. These are the grand sepulchres built by ambition; but by the ambition of an insatiable benevolence, which, not contented with reigning in the dispensation of happiness during the contracted term of human life, had strained, with all the reachings and graspings of a vivacious mind, to extend the dominion of their bounty beyond the limits of nature, and to perpetuate themselves through generations of generations, the guardians, the protectors, the nourishers of mankind.

Long before the late invasion, the persons who are objects of the grant of publick money now before you, had so diverted the supply of the pious funds

funds of culture and population, that every where the reservoirs were fallen into a miserable decay*. But after those domestick enemies had provoked the entry of a cruel foreign foe into the country, he did not leave it, until his revenge had completed the destruction begun by their avarice. Few, very few indeed, of these magazines of water that are not either totally destroyed, or cut through with such gaps, as to require a serious attention and much cost to re-establish them, as the means of present subsistence to the people, and of future revenue to the state.

What, Sir, would a virtuous and enlightened ministry do on the view of the ruins of such works before them? On the view of such a chasm of desolation as that which yawned in the midst of those countries to the north and south, which still bore some vestiges of cultivation? They would have reduced all their most necessary establishments; they would have suspended the justest payments; they would have employed every shilling derived from the producing, to reanimate the powers of the unproductive parts. While they were performing this fundamental duty, whilst they were celebrating these mysteries of justice and humanity, they would have told the corps of fictitious creditors, whose crimes were their claims, that they must keep an awful distance; that they must silence their inauspicious tongues; that they must

* See Report IV. Mr. Dundas's Committee, p. 46.

hold

hold off their profane unhallowed paws from this holy work; they would have proclaimed with a voice that should make itself heard, that on every country the first creditor is the plough; that this original, indefeasible claim supersedes every other demand.

This is what a wise and virtuous ministry would have done and said. This, therefore, is what our minister could never think of saying or doing. A ministry of another kind would have first improved the country, and have thus laid a solid foundation for future opulence and future force. But on this grand point of the restoration of the country, there is not one syllable to be found in the correspondence of our ministers, from the first to the last: they felt nothing for a land desolated by fire, sword, and famine; their sympathies took another direction; they were touched with pity for bribery, so long tormented with a fruitless itching of its palms; their bowels yearned for usury, that had long missed the harvest of its returning months *; they felt for peculation which had been for so many years raking in the dust of an empty treasury; they were melted into compassion for rapine and oppression, licking their dry, parched, unbloody jaws. These were the objects of their solicitude. These were the necessities for which they were studious to provide.

To state the country and its revenues in their

* Interest is rated in India by the month.

real

real condition, and to provide for those fictitious claims, consistently with the support of an army and a civil establishment, would have been impossible; therefore the ministers are silent on that head, and rest themselves on the authority of lord Macartney, who in a letter to the court of directors, written in the year 1781, speculating on what might be the result of a wise management of the countries assigned by the nabob of Arcot, rates the revenue as in time of peace, at twelve hundred thousand pounds a year, as he does those of the king of Tanjore (which had not been assigned) at four hundred and fifty. On this lord Macartney grounds his calculations, and on this they choose to ground theirs. It was on this calculation that the ministry, in direct opposition to the remonstrances of the court of directors, have compelled that miserable enslaved body, to put their hands to an order for appropriating the enormous sum of 480,000*l.* annually, as a fund for paying to their rebellious servants a debt contracted in defiance of their clearest and most positive injunctions.

The authority and information of lord Macartney is held high on this occasion, though it is totally rejected in every other particular of this business. I believe I have the honour of being almost as old an acquaintance as any lord Macartney has. A constant and unbroken friendship has subsisted between

tween us from a very early period; and, I trust, he thinks, that as I respect his character, and in general admire his conduct, I am one of those who feel no common interest in his reputation. Yet I do not hesitate wholly to disallow the calculation of 1781, without any apprehension that I shall appear to distrust his veracity or his judgment. This peace estimate of revenue was not grounded on the state of the Carnatick as it then, or as it had recently, stood. It was a statement of former and better times. There is no doubt that a period did exist, when the large portion of the Carnatick held by the nabob of Arcot might be fairly reputed to produce a revenue to that, or to a greater amount. But the whole had so melted away by the slow and silent hostilities of oppression and mismanagement, that the revenues, sinking with the prosperity of the country, had fallen to about 800,000*l.* a year, even before an enemy's horse had imprinted his hoof on the soil of the Carnatick. From that view, and independently of the decisive effects of the war which ensued, Sir Eyre Coote conceived that years must pass before the country could be restored to its former prosperity and production. It was that state of revenue, (namely, the actual state before the war) which the directors have opposed to lord Macartney's speculation. They refused to take the revenues for more than 800,000*l.* In this they

they are justified by lord Macartney himself, who, in a subsequent letter, informs the court, that his sketch is a matter of speculation; it supposes the country restored to its ancient properity, and the revenue to be in a course of effective and honest collection. If therefore the ministers have gone wrong, they were not deceived by lord Macartney: they were deceived by no man. The estimate of the directors is nearly the very estimate furnished by the right honourable gentleman himself, and published to the world in one of the printed reports of his own committee *; but as soon as he obtained his power, he chose to abandon his account. No part of this official conduct can be defended on the ground of his parliamentary information.

In this clashing of accounts and estimates, ought not the ministry, if they wished to preserve even appearances, to have waited for information of the actual result of these speculations, before they laid a charge, and such a charge, not conditionally and eventually, but positively and authoritatively, upon a country which they all knew, and which one of them had registered on the records of this house, to be wasted beyond all example, by

* Mr. Dundas's Committee, Rep. I. p. 9. and ditto, Rep. IV. 69. where the revenue of 1777 stated only at 22 lacks—20 lacks stated as the revenue, "*supposing* the Carnatick to be "*properly* managed."

every

every oppression of an abusive government, and every ravage of a desolating war. But that you may discern in what manner they use the correspondence of office, and that thereby you may enter into the true spirit of the ministerial board of control, I desire you Mr. Speaker, to remark, that through their whole controversy with the court of directors, they do not so much as hint at their ever having seen any other paper from lord Macartney, or any other estimate of revenue, than this of 1781. To this they hold. Here they take post; here they entrench themselves.

When I first read this curious controversy between the ministerial board and the court of directors, common candour obliged me to attribute their tenacious adherence to the estimate of 1781, to a total ignorance of what had appeared upon the records. But the right honourable gentleman has chosen to come forward with an uncalled-for declaration; he boastingly tells you, that he has seen, read, digested, compared every thing; and that if he has sinned, he has sinned with his eyes broad open. Since then the ministers will obstinately shut the gates of mercy on themselves, let them add to their crimes what aggravations they please. They have then (since it must be so) wilfully and corruptly suppressed the information which they ought to have produced; and for the support of peculation, have made themselves guilty of

of spoliation and suppression of evidence*. The paper I hold in my hand, which totally overturns (for the present at least) the estimate of 1781, they have no more taken notice of in their controversy with the court of directors, than if it had no existence. It is the report made by a committee appointed at Madras, to manage the whole of the six countries assigned to the company by the nabob of Arcot. This committee was wisely instituted by lord Macartney, to remove from himself the suspicion of all improper management in so invidious a trust; and it seems to have been well chosen. This committee has made a comparative estimate of the only six districts which were in a condition to be let to farm. In one set of columns they state the gross and net produce of the districts as let by the nabob. To that statement they oppose the terms on which the same districts were rented for five years, under their authority. Under the nabob, the gross farm was so high as 570,000*l.* sterling. What was the clear produce? Why, no more than about 250,000*l.* and this was the whole profit of the nabob's treasury, under his own management, of all the districts which were in a condition to be let to farm on the 27th of May, 1782. Lord Macartney's leases stipulated a gross produce of no more than about 530,000*l.*

* See Appendix, No. 4, Statement in the Report of the Committee of assigned Revenue.

but then the estimated net amount was nearly double the nabob's. It however did not then exceed 480,000*l*; and lord Macartney's commissioners take credit for an annual revenue amounting to this clear sum. Here is no speculation; here is no inaccurate account clandestinely obtained from those who might wish, and were enabled to deceive. It is the authorized recorded state of a real recent transaction. Here is not twelve hundred thousand pound, not eight hundred. The whole revenue of the Carnatick yielded no more in May 1782 than four hundred and eighty thousand pounds; nearly the very precise sum which your minister, who is so careful of the publick security, has carried from all descriptions of establishment to form a fund for the private emolument of his creatures.

In this estimate, we see, as I have just observed, the nabob's farms rated so high as 570,000*l*. Hitherto all is well; but follow on to the effective net revenue: there the illusion vanishes; and you will not find nearly so much as half the produce. It is with reason therefore lord Macartney invariably throughout the whole correspondence, qualifies all his views and expectations of revenue, and all his plans for its application, with this indispensable condition, that the management is not in the hands of the nabob of Arcot. Should that fatal measure take place, he has over and over

again told you, that he has no prospect of realising any thing whatsoever for any publick purpose. With these weighty declarations, confirmed by such a state of indisputable facts before them; what has been done by the chancellor of the exchequer and his accomplices? Shall I be believed? They have delivered over those very territories, on the keeping of which in the hands of the committee, the defence of our dominions, and what was more dear to them, possibly, their own job depended; they have delivered back again without condition, without arrangement, without stipulation of any sort for the natives of any rank, the whole of those vast countries, to many of which he had no just claim, into the ruinous mismanagement of the nabob of Arcot. To crown all, according to their miserable practice whenever they do any thing transcendently absurd, they preface this their abdication of their trust, by a solemn declaration that they were not obliged to it by any principle of policy, or any demand of justice whatsover.

I have stated to you the estimated produce of the territories of the Carnatick, in a condition to be farmed in 1782, according to the different managements into which they might fall; and this estimate the ministers have thought proper to suppress. Since that, two other accounts have been received. The first informs us, that there has

been a recovery of what is called arrears, as well as of an improvement of the revenue of one of the six provinces which were let in 1782*. It was brought about by making a new war. After some sharp actions, by the resolution and skill of colonel Fullarton, several of the petty princes of the most southerly of the unwasted provinces were compelled to pay very heavy rents and tributes, who for a long time before had not paid any acknowledgment. After this reduction, by the care of Mr. Irwin, one of the committee, that province was divided into twelve farms. This operation raised the income of that particular province; the others remain as they were first farmed. So that instead of producing only their original rent of 480,000*l.* they netted in about two years and a quarter, 1,320,000*l.* sterling, which would be about 660,000*l.* a year, if the recovered arrear was not included. What deduction is to be made on account of that arrear I cannot determine, but certainly what would reduce the annual income considerably below the rate I have allowed.

The second account received, is the letting of the wasted provinces of the Carnatick. This I understand is at a growing rent, which may or may not realise what it promises; but if it should answer, it will raise the whole, at some future time, to 1,200,000*l.*

* The province of Tinnevelly.

You

You must here remark, Mr. Speaker, that this revenue is the produce of *all* the nabob's dominions. During the assignment, the nabob paid nothing, because the company had all. Supposing the whole of the lately assigned territory to yield up to the most sanguine expectations of the right honourable gentleman; and suppose 1,200,000*l.* to be annually realised (of which we actually know of no more than the realising of six hundred thousand) out of this you must deduct the subsidy and rent which the nabob paid before the assignment, namely 340,000*l.* a year. This reduces back the revenue applicable to the new distribution made by his majesty's ministers, to about 800,000*l.* Of that sum five eighths are by them surrendered to the debts. The remaining three are the only fund left for all the purposes so magnificently displayed in the letter of the board of control; that is for a new-cast peace establishment; a new fund for ordnance and fortifications; and a large allowance for what they call "the splendour of the "Durbar."

You have heard the account of these territories as they stood in 1782. You have seen the *actual* receipt since the assignment in 1781, of which I reckon about two years and a quarter productive. I have stated to you the expectation from the wasted part. For realising all this you may value yourselves on the vigour and diligence of a governour

and

and committee that have done so much. If these hopes from the committee are rational—remember that the committee is no more. Your ministers, who have formed their fund for these debts on the presumed effect of the committee's management, have put a complete end to that committee. Their acts are rescinded; their leases are broken; their renters are dispersed. Your ministers knew when they signed the death-warrant of the Carnatick, that the nabob would not only turn all these unfortunate farmers of revenue out of employment, but that he has denounced his severest vengeance against them, for acting under British authority. With the knowledge of this disposition, a British chancellor of the exchequer, and treasurer of the navy, incited by no publick advantage, impelled by no publick necessity, in a strain of the most wanton perfidy which has ever stained the annals of mankind, have delivered over to plunder, imprisonment, exile, and death itself, according to the mercy of such execrable tyrants as Amir ul Omra and Paul Benfield, the unhappy and deluded souls, who, untaught by uniform example, were still weak enough to put their trust in English faith *. They have gone farther; they have thought proper to mock and outrage their misery by ordering them protection and compensation. From what power is this protection to be derived? And

* Appendix, No. 5.

from

from what fund is this compensation to arise? The revenues are delivered over to their oppressor; the territorial jurisdiction, from whence that revenue is to arise, and under which they live, is surrendered to the same iron hands: and that they shall be deprived of all refuge, and all hope, the minister has made a solemn, voluntary declaration, that he never will interfere with the nabob's internal government *.

The last thing considered by the board of control among the debts of the Carnatick, was that arising to the East-India company, which after the provision for the cavalry, and the consolidation of 1777, was to divide the residue of the fund of 480,000*l.* a year with the lenders of 1767. This debt the worthy chairman, who sits opposite to me, contends to be three millions sterling. Lord Macartney's account of 1781, states it to be at that period, 1,200,000*l.* The first account of the court of directors makes it 900,000*l.* This, like the private debt, being without any solid existence, is incapable of any distinct limits. Whatever its amount or its validity may be, one thing is clear; it is of the nature and quality of a publick debt. In that light nothing is provided for it, but an eventual surplus to be divided with one class of the private demands, after satisfying the two first classes. Never was a more shameful postponing a publick demand, which by the reason

* See extract of their letter in the Appendix, No. 9.

of the thing, and the uniform practice of all nations, supersedes every private claim.

Those who gave this preference to private claims, consider the company's as a lawful demand; else, why did they pretend to provide for it? On their own principles they are condemned.

But I, Sir, who profess to speak to your understanding and to your conscience, and to brush away from this business all false colours, all false appellations, as well as false facts, do positively deny that the Carnatick owes a shilling to the company; whatever the company may be indebted to that undone country. It owes nothing to the company for this plain and simple reason—The territory charged with the debt is their own. To say that their revenues fall short, and owe them money, is to say they are in debt to themselves, which is only talking nonsense. The fact is, that by the invasion of an enemy, and the ruin of the country, the company, either in its own name, or in the names of the nabob of Arcot and rajah of Tanjore, has lost for several years what it might have looked to receive from its own estate. If men were allowed to credit themselves upon such principles, any one might soon grow rich by this mode of accounting. A flood comes down upon a man's estate in the Bedford Level of a thousand pounds a year, and drowns his rents for ten years. The chancellor would put that man into the hands of a trustee, who would gravely

gravely make up his books, and for this loss credit himself in his account for a debt due to him of 10,000*l.* It is, however, on this principle the company makes up its demands on the Carnatick. In peace they go the full length, and indeed more than the full length, of what the people can bear for current establishments; then they are absurd enough to consolidate all the calamities of war into debts; to metamorphose the devastations of the country into demands upon its future production. What is this but to avow a resolution utterly to destroy their own country, and to force the people to pay for their sufferings, to a government which has proved unable to protect either the share of the husbandman or their own? In every lease of a farm, the invasion of an enemy, instead of forming a demand for arrear, is a release of rent; nor for that release is it at all necessary to show, that the invasion has left nothing to the occupier of the soil; though in the present case it would be too easy to prove that melancholy fact*. I therefore applauded my right honourable friend, who, when he canvassed the company's accounts, as a preliminary to a bill that ought not to stand on falsehood of any kind, fixed his discerning eye, and his deciding hand, on these debts of the company, from the nabob of Arcot and rajah of Tanjore,

* "It is certain that the incursion of a *few* of Hyder's horse "into the Jaghire, in 1767, cost the company upwards of "pagodas 27,000, *in allowances for damages.*" Consultations, February 11th, 1771.

and

and at one stroke expunged them all, as utterly irrecoverable; he might have added as utterly unfounded.

On these grounds I do not blame the arrangement this day in question, as a preference given to the debt of individuals over the company's debt. In my eye it is no more than the preference of a fiction over a chimera; but I blame the preference given to those fictitious private debts over the standing defence and the standing government. It is there the publick is robbed. It is robbed in its army; it is robbed in its civil administration; it is robbed in its credit; it is robbed in its investment which forms the commercial connection between that country and Europe. There is the robbery.

But my principal objection lies a good deal deeper. That debt to the company is the pretext under which all the other debts lurk and cover themselves. That debt forms the foul putrid mucus, in which are engendered the whole brood of creeping ascarides, all the endless involutions, the eternal knot, added to a knot of those inexpugnable tape-worms which devour the nutriment, and eat up the bowels of India*. It is necessary, Sir, you should recollect two things:

* Proceedings at Madras, 11th February, 1769, and throughout the correspondence on this subject; particularly Consultations, October 4th, 1769, and the Creditors' Memorial, 20th January, 1770.

first,

first, that the nabob's debt to the company carries no interest. In the next place you will observe, that whenever the company has occasion to borrow, she has always commanded whatever she thought fit at eight *per cent*. Carrying in your mind these two facts, attend to the process with regard to the publick and private debt, and with what little appearance of decency they play into each other's hands a game of utter perdition to the unhappy natives of India. The nabob falls into an arrear to the company. The presidency presses for payment. The nabob's answer is, I have no money. Good. But there are soucars who will supply you on the mortgage of your territories. Then steps forward some Paul Benfield, and from his grateful compassion to the nabob, and his filial regard to the company, he unlocks the treasures of his virtuous industry; and for a consideration of twenty-four or thirty-six *per cent*. on a mortgage of the territorial revenue, becomes security to the company for the nabob's arrear.

All this intermediate usury thus becomes sanctified by the ultimate view to the company's payment. In this case, would not a plain man ask this plain question of the company; if you know that the nabob must annually mortgage his territories to your servants to pay his annual arrear to you, why is not the assignment or mortgage made directly to the company itself? By this simple obvious

vious operation, the company would be relieved and the debt paid, without the charge of a shilling interest to that prince. But if that course should be thought too indulgent, why do they not take that assignment with such interest to themselves as they pay to others, that is eight *per cent?* Or if it were thought more adviseable (why it should I know not) that he must borrow, why do not the company lend their own credit to the nabob for their own payment? That credit would not be weakened by the collateral security of his territorial mortgage. The money might still be had at eight *per cent.* Instead of any of these honest and obvious methods, the company has for years kept up a shew of disinterestedness and moderation, by suffering a debt to accumulate to them from the country powers without any interest at all; and at the same time have seen before their eyes, on a pretext of borrowing to pay that debt, the revenues of the country charged with an usury of twenty, twenty-four, thirty-six, and even eight-and-forty *per cent.* with compound interest*, for the benefit of their servants. All this time they know that by having a debt subsisting without any interest, which is to be paid by contracting a debt on the highest interest, they manifestly render it necessary to the nabob of Arcot to give the private demand a prefereuce to the

* Appendix, No. 7.

publick;

publick; and by binding him and their servants together in a common cause, they enable him to form a party to the utter ruin of their own authority, and their own affairs. Thus their false moderation, and their affected purity, by the natural operation of every thing false, and every thing affected, becomes pander and bawd to the unbridled debauchery and licentious lewdness of usury and extortion.

In consequence of this double game, all the territorial revenues have, at one time or other, been covered by those locusts, the English soucars. Not one single foot of the Carnatick has escaped them; a territory as large as England. During these operations what a scene has that country presented*! The usurious European assignee supersedes the nabob's native farmer of the revenue; the farmer flies to the nabob's presence to claim his

* For some part of these usurious transactions, see Consultation 28th January 1781; and for the nabob's excusing his oppressions on account of these debts, Consultation 26th November 1770. "Still I undertook first, the payment of the money "belonging to the company, who are my kind friends, and by "borrowing, and *mortgaging my jewels*, &c. by *taking from* "*every one of my servants*, in proportion to their circum-"stances, by *fresh severities* also on my country, *notwithstanding* "*its distressed state*, as you know."—The Board's remark is as follows; after controverting some of the facts, they say, "That his countries are oppressed is most certain, but not from "real necessity; *his debts have indeed afforded him a constant* "*pretence* for using severities and cruel oppressions."

bargain;

bargain; whilst his servants murmur for wages, and his soldiers mutiny for pay. The mortgage to the European assignee is then resumed, and the native farmer replaced; replaced, again to be removed on the new clamour of the European assignee *. Every man of rank and landed fortune being long since extinguished, the remaining miserable last cultivator, who grows to the soil, after having his back scored by the farmer, has it again flayed by the whip of the assignee, and is thus by a ravenous, because a short-lived succession of claimants, lashed from oppressor to oppressor, whilst a single drop of blood is left as the means of extorting a single grain of corn. Do not think I paint. Far, very far from it; I do not reach the fact, nor approach to it. Men of respectable condition, men equal to your substantial English yeomen, are daily tied up and scourged to answer the multiplied demands of various contending and contradictory titles, all issuing from one and the same source. Tyrannous exaction brings on servile concealment; and that again calls forth tyrannous coercion. They move in a circle, mutually producing and produced; till at length nothing of humanity is left in the government, no

* See Consultation 28th January 1781, where it is asserted and not denied, that the nabob's farmers of revenue seldom continue for three months together. From this the state of the country may be easily judged of.

trace

trace of integrity, spirit, or manliness in the people, who drag out a precarious and degraded existence under this system of outrage upon human nature. Such is the effect of the establishment of a debt to the company, as it has hitherto been managed, and as it ever will remain, until ideas are adopted totally different from those which prevail at this time.

Your worthy ministers, supporting what they are obliged to condemn, have thought fit to renew the company's old order against contracting private debts in future. They begin by rewarding the violation of the ancient law; and then they gravely re-enact provisions, of which they have given bounties for the breach. This inconsistency has been well exposed *. But what will you say to their having gone the length of giving positive directions for contracting the debt which they positively forbid?

I will explain myself. The order of the nabob, out of the revenues of the Carnatick, to allot four hundred and eighty thousand pounds a year, as a fund for the debts before us. For the punctual payment of this annuity, they order him to give *soucar* security †. When a *soucar*, that is a money dealer, becomes security for any native prince, the course is, for the native prince to coun-

* In Mr. Fox's speech.

† The amended Letter, Appendix, No. 9.

tersecure

tersecure the money dealer, by making over to him in mortgage a portion of his territory, equal to the sum annually to be paid, with an interest of at least twenty-four *per cent.* The point fit for the house to know is, who are these soucars, to whom this security on the revenues in favour of the nabob's creditors is to be given? The majority of the house, unaccustomed to these transactions, will hear with astonishment that these soucars are no other than the creditors themselves. The minister, not content with authorizing these transactions in a manner and to an extent unhoped for by the rapacious expectations of usury itself, loads the broken back of the Indian revenues, in favour of his worthy friends the soucars, with an additional twenty-four *per cent.* for being security to themselves for their own claims; for condescending to take the country in mortgage, to pay to themselves the fruits of their own extortions.

The interest to be paid for this security, according to the most moderate strain of soucar demand, comes to one hundred and eighteen thousand pounds a year, which added to the 480,000 *l.* on which it is to accrue, will make the whole charge on account of these debts on the Carnatick revenues amount to 598,000 *l.* a year, as much as even a long peace will enable those revenues to produce. Can any one reflect for a moment on all those claims of debt, which the minister exhausts himself

self in contrivances to augment with new usuries, without lifting up his hands and eyes in astonishment of the impudence, both of the claim and of the adjudication? Services of some kind or other these servants of the company must have done, so great and eminent, that the chancellor of the exchequer cannot think that all they have brought home is half enough. He halloos after them, "Gentlemen, you have forgot a large packet be-
"hind you, in your hurry; you have not suffi-
"ciently recovered yourselves; you ought to have,
"and you shall have, interest upon interest, upon
"a prohibited debt that is made up of interest
"upon interest. Even this is too little. I have
"thought of another character for you, by which
"you may add something to your gains; you shall
"be security to yourselves; and hence will arise a
"new usury, which shall efface the memory of all
"the usuries suggested to you by your own dull
"inventions."

I have done with the arrangement relative to the Carnatick. After this it is to little purpose to observe on what the ministers have done to Tanjore. Your ministers have not observed even form and ceremony in their outrageous and insulting robbery of that country, whose only crime has been, its early and constant adherence to the power of this, and the suffering of an uniform pillage in consequence of it. The debt of the company from

the rajah of Tanjore, is just of the same stuff with that of the nabob of Arcot.

The subsidy from Tanjore, on the arrear of which this pretended debt (if any there be) has accrued to the company, is not, like that paid by the nabob of Arcot, a compensation for vast countries obtained, augmented, and preserved for him; not the price of pillaged treasuries, ransacked houses, and plundered territories.—It is a large grant, from a small kingdom not obtained by our arms; robbed, not protected by our power; a grant for which no equivalent was ever given, or pretended to be given. The right honourable gentleman, however, bears witness in his reports to the punctuality of the payments of this grant of bounty, or, if you please, of fear. It amounts to one hundred and sixty thousand pounds sterling net annual subsidy. He bears witness to a further grant of a town and port, with an annexed district of thirty thousand pound a year, surrendered to the company since the first donation. He has not borne witness, but the fact is, (he will not deny it) that in the midst of war, and during the ruin and desolation of a considerable part of his territories, this prince made many very large payments. Notwithstanding these merits and services, the first regulation of ministry is to force from him a territory of an extent which they have not yet thought proper to ascertain *, for a military peace

* Appendix, No. 8.

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establishment, the particulars of which they have not yet been pleased to settle.

The next part of their arrangement is with regard to war. As confessedly this prince had no share in stirring up any of the former wars, so all future wars are completely out of his power; for he has no troops whatever, and is under a stipulation not so much as to correspond with any foreign state, except through the company. Yet, in case the company's servants should be again involved in war, or should think proper again to provoke any enemy, as in times past they have wantonly provoked all India, he is to be subjected to a new penalty. To what penalty?—Why, to no less than the confiscation of all his revenues. But this is to end with the war, and they are to be faithfully returned?—Oh! no, nothing like it. The country is to remain under confiscation until all the debt which the company shall think fit to incur in such war shall be discharged; that is to say, for ever. His sole comfort is to find his old enemy, the nabob of Arcot, placed in the very same condition.

The revenues of that miserable country were, before the invasion of Hyder, reduced to a *gross* annual receipt of three hundred and sixty thousand pound*. From this receipt the subsidy I have

* Mr. Petrie's evidence before the select committee, App. No. 7.

just stated is taken. This again, by payments in advance, by extorting deposits of additional sums to a vast amount for the benefit of their soucars, and by an endless variety of other extortions, publick and private, is loaded with a debt, the amount of which I never could ascertain, but which is large undoubtedly, generating an usury the most completely ruinous that probably was ever heard of; *that is, forty-eight per cent. payable monthly, with compound interest* *.

Such is the state to which the company's servants have reduced that country. Now come the reformers, restorers, and comforters of India. What have they done? In addition to all these tyrannous exactions with all these ruinous debts in their train, looking to one side of an agreement whilst they wilfully shut their eyes to the other, they withdraw from Tanjore all the benefits of the treaty of 1762, and they subject that nation to a perpetual tribute of forty thousand a year to the nabob of Arcot; a tribute never due, or pretended to be due to *him*, even when he appeared to be something; a tribute, as things now stand, not to a real potentate, but to a shadow, a dream, an incubus of oppression. After the company has accepted in subsidy, in grant of territory, in remission of rent, as a compensation for their own

* Appendix, No. 7.

protec-

protection, at least two hundred thousand pound a year, without discounting a shilling for that receipt, the ministers condemn this harassed nation to be tributary to a person who is himself, by their own arrangement, deprived of the right of war or peace; deprived of the power of the sword; forbid to keep up a single regiment of soldiers; and is therefore wholly disabled from all protection of the country which is the object of the pretended tribute. Tribute hangs on the sword. It is an incident inseparable from real sovereign power. In the present case to suppose its existence, is as absurd as it is cruel and oppressive. And here, Mr. Speaker, you have a clear exemplification of the use of those false names, and false colours, which the gentlemen who have lately taken possession of India choose to lay on for the purpose of disguising their plan of oppression. The nabob of Arcot, and rajah of Tanjore, have, in truth and substance, no more than a merely civil authority, held in the most entire dependence on the company. The nabob, without military, without federal capacity, is extinguished as a potentate; but then is carefully kept alive as an independent and sovereign power, for the purpose of rapine and extortion; for the purpose of perpetuating the old intrigues, animosities, usuries, and corruptions.

It was not enough that this mockery of tribute

was

was to be continued without the correspondent protection, or any of the stipulated equivalents, but ten years of arrear, to the amount of 400,000 *l.* sterling, is added to all the debts to the company, and to individuals, in order to create a new debt, to be paid (if at all possible to be paid in whole or in part) only by new usuries; and all this for the nabob of Arcot, or rather for Mr. Benfield, and the corps of the nabob's creditors and their soucars. Thus these miserable Indian princes are continued in their seats, for no other purpose than to render them in the first instance objects of every species of extortion; and in the second, to force them to become, for the sake of a momentary shadow of reduced authority, a sort of subordinate tyrants, the ruin and calamity, not the fathers and cherishers of their people.

But take this tribute only as a mere charge (without title, cause, or equivalent) on this people; what one step has been taken to furnish grounds for a just calculation and estimate of the proportion of the burthen and the ability? None; not an attempt at it. They do not adapt the burthen to the strength; but they estimate the strength of the bearers by the burthen they impose. Then what care is taken to leave a fund sufficient to the future reproduction of the revenues that are to bear all these loads? Every one, but tolerably conversant in Indian affairs, must know that the existence

existence of this little kingdom depends on its control over the river Cavery. The benefits of heaven to any community, ought never to be connected with political arrangements, or made to depend on the personal conduct of princes; in which the mistake, or errour, or neglect, or distress, or passion of a moment on either side, may bring famine on millions, and ruin an innocent nation perhaps for ages. The means of the subsistence of mankind should be as immutable as the laws of nature, let power and dominion take what course they may.—Observe what has been done with regard to this important concern. The use of this river is indeed at length given to the rajah, and a power provided for its enjoyment *at his own charge;* but the means of furnishing that charge (and a mighty one it is) are wholly cut off. This use of the water, which ought to have no more connexion than clouds and rains, and sunshine, with the politicks of the rajah, the nabob, or the company, is expressly contrived as a means of enforcing demands and arrears of tribute. This horrid and unnatural instrument of extortion had been a distinguishing feature in the enormities of the Carnatick politicks that loudly called for reformation. But the food of a whole people is by the reformers of India conditioned on payments from its prince, at a moment that he is overpowered with a swarm of their demands, without regard

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to the ability of either prince or people. In fine, by opening an avenue to the irruption of the nabob of Arcot's creditors and soucars, whom every man who did not fall in love with oppression and corruption on an experience of the calamities they produced, would have raised wall before wall, and mound before mound, to keep from a possibility of entrance, a more destructive enemy than Hyder Ali is introduced into that kingdom. By this part of their arrangement in which they establish a debt to the nabob of Arcot, in effect and substance, they deliver over Tanjore, bound hand and foot, to Paul Benfield, the old betrayer, insulter, oppressor, and scourge of a country, which has for years been an object of an unremitted, but unhappily an unequal struggle, between the bounties of Providence to renovate, and the wickedness of mankind to destroy.

The right honourable gentleman* talks of his fairness in determining the territorial dispute between the nabob of Arcot and the prince of that country, when he superseded the determination of the directors, in whom the law had vested the decision of that controversy. He is in this just as feeble as he is in every other part. But it is not necessary to say a word in refutation of any part of his argument. The mode of the proceeding sufficiently speaks the spirit of it. It is enough to

* Mr. Dundas.

fix

fix his character as a judge that he *never heard the directors in defence of their adjudication, nor either of the parties in support of their respective claims.* It is sufficient for me, that he takes from the rajah of Tanjore by this pretended adjudication, or rather from his unhappy subjects, 40,000*l.* a year of his and their revenue, and leaves upon his and their shoulders all the charges that can be made on the part of the nabob, on the part of his creditors, and on the part of the company, without so much as hearing him as to right or to ability. But what principally induces me to leave the affair of the territorial dispute between the nabob and the rajah to another day, is this, that both the parties being stripped of their all, it little signifies under which of their names the unhappy undone people are delivered over to the merciless soucars, the allies of that right honourable gentleman, and the chancellor of the exchequer. In them ends the account of this long dispute of the nabob of Arcot, and the rajah of Tanjore.

The right honourable gentleman is of opinion, that his judgment in this case can be censured by none, but those who seem to act as if they were paid agents to one of the parties. What does he think of his court of directors? If they are paid by either of the parties, by which of them does he think they are paid? He knows that their decision has been directly contrary to his. Shall I believe

lieve that it does not enter into his heart to conceive, that any person can steadily and actively interest himself in the protection of the injured and oppressed, without being well paid for his service? I have taken notice of this sort of discourse some days ago, so far as it may be supposed to relate to me. I then contented myself, as I shall now do, with giving it a cold, though a very direct contradiction. Thus much I do from respect to truth. If I did more, it might be supposed, by my anxiety to clear myself, that I had imbibed the ideas, which, for obvious reasons, the right honourable gentlemen wishes to have received concerning all attempts to plead the cause of the natives of India, as if it were a disreputable employment. If he had not forgot in his present occupation, every principle which ought to have guided him, and I hope did guide him, in his late profession, he would have known, that he who takes a fee for pleading the cause of distress against power, and manfully performs the duty he has assumed, receives an honourable recompence for a virtuous service. But if the right honourable gentlemen will have no regard to fact in his insinuations, or to reason in his opinions, I wish him at least to consider, that if taking an earnest part with regard to the oppressions exercised in India, and with regard to this most oppressive case of Tanjore in particular, can ground a

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presumption of interested motives, he is himself the most mercenary man I know. His conduct indeed is such that he is on all occasions the standing testimony against himself. He it was that first called to that case the attention of the house: the reports of his own committee are ample and affecting upon that subject*; and as many of us as have escaped his massacre, must remember the very pathetick picture he made of the sufferings of the Tanjore country, on the day when he moved the unwieldy code of his Indian resolutions. Has he not stated over and over again in his reports, the ill treatment of the rajah of Tanjore, (a branch of the royal house of the Marattas, every injury to whom the Marattas felt as offered to themselves) as a main cause of the alienation of that people from the British power? And does he now think, that to betray his principles, to contradict his declarations, and to become himself an active instrument in those oppressions which he had so tragically lamented, is the way to clear himself of having been actuated by a pecuniary interest, at the time when he chose to appear full of tenderness to that ruined nation?

The right honourable gentleman is fond of parading on the motives of others, and on his own.

* See Report IV. Committee of Secrecy, p. 73, and 74; and Appendix in sundry places.

As to himself, he despises the imputations of those who suppose that any thing corrupt could influence him in this his unexampled liberality of the public treasure. I do not know that I am obliged to speak to the motives of ministry, in the arrangements they have made of the pretended debts of Arcot and Tanjore. If I prove fraud and collusion with regard to publick money on those right honourable gentlemen, I am not obliged to assign their motives; because no good motives can be pleaded in favour of their conduct. Upon that case I stand; we are at issue; and I desire to go to trial. This, I am sure, is not loose railing, or mean insinuation, according to their low and degenerate fashion, when they make attacks on the measures of their adversaries. It is a regular and juridical course; and, unless I choose it, nothing can compel me to go further.

But since these unhappy gentlemen have dared to hold a lofty tone about their motives, and affect to despise suspicion, instead of being careful not to give cause for it, I shall beg leave to lay before you some general observations on what, I conceive, was their duty in so delicate a business.

If I were worthy to suggest any line of prudence to that right honourable gentleman, I would tell him, that the way to avoid suspicion in the settlement of pecuniary transactions, in which great frauds have been very strongly presumed,

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is, to attend to these few plain principles:—First, to hear all parties equally, and not the managers for the suspected claimants only.—Not to proceed in the dark; but to act with as much publicity as possible.—Not to precipitate decision—To be religious in following the rules prescribed in the commission under which we act. And, lastly, and above all, not to be fond of straining constructions, to force a jurisdiction, and to draw to ourselves the management of a trust in its nature invidious and obnoxious to suspicion, where the plainest letter of the law does not compel it. If these few plain rules are observed, no corruption ought to be suspected; if any of them are violated, suspicion will attach in proportion. If all of them are violated, a corrupt motive of some kind or other will not only be suspected, but must be violently presumed.

The persons in whose favour all these rules have been violated, and the conduct of ministers towards them, will naturally call for your consideration, and will serve to lead you through a series and combination of facts and characters, if I do not mistake, into the very inmost recesses of this mysterious business. You will then be in possession of all the materials on which the principles of sound jurisprudence will found, or will reject the presumption of corrupt motives; or if such motives are indicated, will point out to you of what particular nature the corruption is.

Our

Our wonderful minister, as you all know, formed a new plan, a plan *insigne recens indictum ore alio*, a plan for supporting the freedom of our constitution by court intrigues, and for removing its corruptions by Indian delinquency. To carry that bold paradoxical design into execution, sufficient funds and apt instruments became necessary. You are perfectly sensible that a parliamentary reform occupies his thoughts day and night, as an essential member in this extraordinary project. In his anxious researchs upon this subject, natural instinct, as well as sound policy, would direct his eyes, and settle his choice on Paul Benfield. Paul Benfield is the grand parliamentary reformer, the reformer to whom the whole choir of reformers bow, and to whom even the right honourable gentleman himself must yield the palm: For what region in the empire, what city, what borough, what county, what tribunal, in this kingdom, is not full of his labours? Others have been only speculators; he is the grand practical reformer; and whilst the chancellor of the exchequer pledges in vain the man and the minister, to increase the provincial members, Mr. Benfield has auspiciously and practically begun it. Leaving far behind him even lord Camelford's generous design of bestowing Old Sarum on the bank of England, Mr. Benfield has thrown in the borough of Cricklade to reinforce the county representation. Not content with this, in order to station a steady phalanx for

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all future reforms, this publick-spirited usurer, amidst his charitable toils for the relief of India, did not forget the poor rotten constitution of his native country. For her, he did not disdain to stoop to the trade of a wholesale upholsterer for this house, to furnish it, not with the faded tapestry figures of antiquated merit, such as decorate, and may reproach some other houses, but with real, solid, living patterns of true modern virtue. Paul Benfield made (reckoning himself) no fewer than eight members in the last parliament. What copious streams of pure blood must he not have transfused into the veins of the present!

But what is even more striking than the real services of this new-imported patriot, is his modesty. As soon as he had conferred this benefit on the constitution, he withdrew himself from our applause. He conceived that the duties of a member of parliament (which with the elect faithful, the true believers, the *Islam* of parliamentary reform, are of little or no merit, perhaps not much better than specious sins) might be as well attended to in India as in England, and the means of reformation to parliament itself, be far better provided. Mr. Benfield was therefore no sooner elected, than he set off for Madras, and defrauded the longing eyes of parliament. We have never enjoyed in this house the luxury of beholding that minion of the human race, and contemplating that visage,

visage, which has so long reflected the happiness of nations.

It was therefore not possible for the minister to consult personally with this great man. What then was he to do? Through a sagacity that never failed him in these pursuits, he found out in Mr. Benfield's representative, his exact resemblance. A specifick attraction by which he gravitates towards all such characters, soon brought our minister into a close connection with Mr. Benfield's agent and attorney; that is, with the grand contractor (whom I name to honour) Mr. Richard Atkinson; a name that will be well remembered as long as the records of this house, as long as the records of the British treasury, as long as the monumental debt of England shall endure.

This gentleman, Sir, acts as attorney for Mr. Paul Benfield. Every one who hears me, is well acquainted with the sacred friendship, and the steady mutual attachment that subsists between him and the present minister. As many members as chose to attend in the first session of this parliament, can best tell their own feelings at the scenes which were then acted. How much that honourable gentleman was consulted in the original frame and fabrick of the bill, commonly called Mr. Pitt's India bill, is matter only of conjecture; though by no means difficult to divine. But the public was an indignant witness of the ostentation

tion with which the measure was made his own, and the authority with which he brought up clause after clause, to stuff and fatten the rankness of that corrupt act. As fast as the clauses were brought up to the table they were accepted. No hesitation; no discussion. They were received by the new minister, not with approbation, but with implicit submission. The reformation may be estimated by seeing who was the reformer. Paul Benfield's associate and agent was held up to the world as legislator of Indostan. But it was necessary to authenticate the coalition between the men of intrigue in India, and the minister of intrigue in England, by a studied display of the power of this their connecting link. Every trust, every honour, every distinction, was to be heaped upon him. He was at once made a director of the India company; made an alderman of London; and to be made, if ministry could prevail (and I am sorry to say how near, how very near they were prevailing), representative of the capital of this kingdom. But to secure his services against all risk, he was brought in for a ministerial borough. On his part, he was not wanting in zeal for the common cause. His advertisements show his motives, and the merits upon which he stood. For your minister, this worn-out veteran submitted to enter into the dusty field of the London contest; and you all remember, that in the same virtuous cause

he submitted to keep a sort of publick office or counting-house, where the whole business of the last general election was managed. It was openly managed by the direct agent and attorney of Benfield. It was managed upon India principles, and for an Indian interest. This was the golden cup of abominations: this the chalice of the fornications of rapine, usury, and oppression, which was held out by the gorgeous eastern harlot; which so many of the people, so many of the nobles of this land had drained to the very dregs. Do you think that no reckoning was to follow this lewd debauch? that no payment was to be demanded for this riot of publick drunkenness and national prostitution? Here! you have it here before you. The principal of the grand election manager must be indemnified; accordingly the claims of Benfield and his crew must be put above all inquiry.

For several years, Benfield appeared as the chief proprietor, as well as the chief agent, director, and controller, of this system of debt. The worthy chairman of the company has stated the claims of this single gentleman on the nabob of Arcot, as amounting to five hundred thousand pound*. Possibly at the time of the chairman's state they might have been as high. Eight hundred thousand pound had been mentioned some time be-

* Mr. Smith's protest.

fore;

fore*; and according to the practice of shifting the names of creditors in these transactions, and reducing or raising the debt itself at pleasure, I think it not impossible, that at one period, the name of Benfield might have stood before those frightful figures. But my best information goes to fix his share no higher than four hundred thousand pounds. By the scheme of the present ministry for adding to the principal twelve *per cent.* from the year 1777 to the year 1781, four hundred thousand pounds, that smallest of the sums ever mentioned for Mr. Benfield, will form a capital of 592,000*l.* at six *per cent.* Thus, besides the arrears of three years, amounting to 106,500*l.* (which, as fast as received, may be legally lent out at twelve *per cent.*) Benfield has received by the ministerial grant before, an annuity of 35,520*l.* a year, charged on the publick revenues.

Our mirror of ministers of finance, did not think this enough for the services of such a friend as Benfield. He found that lord Macartney, in order to frighten the court of directors from the project of obliging the nabob to give soucar security for his debt, assured them, that if they should take that step, Benfield † would infallibly be the soucar; and would thereby become the

* Madras correspondence on this subject.

† Appendix, No. 6.

entire master of the Carnatick. What lord Macartney thought sufficient to deter the very agents and partakers with Benfield in his iniquities, was the inducement to the two right honourable gentlemen to order this very soucar security to be given, and to recal Benfield to the city of Madras, from the sort of decent exile, into which he had been relegated by lord Macartney. You must therefore consider Benfield, as soucar security for 480,000*l.* a year, which at twenty-four *per cent.* (supposing him contented with that profit) will, with the interest of his old debt, produce an annual income of 149,520*l.* a year.

Here is a specimen of the new and pure aristocracy created by the right honourable gentleman *, as the support of the crown and constitution, against the old, corrupt, refractory, natural interests of this kingdom; and this is the grand counterpoise against all odious coalitions of these interests. A single Benfield outweighs them all; a criminal, who long since ought to have fattened the region kites with his offal, is, by his majesty's ministers, enthroned in the government of a great kingdom, and enfeoffed with an estate, which in the comparison effaces the splendour of all the nobility of Europe. To bring a little more distinctly into view the true secret of this dark transaction,

* Right honourable William Pitt.

I beg

I beg you particularly to advert to the circumstances which I am going to place before you.

The general corps of creditors, as well as Mr. Benfield himself, not looking well into futurity, nor presaging the minister of this day, thought it not expedient for their common interest, that such a name as his should stand at the head of their list. It was therefore agreed amongst them, that Mr. Benfield should disappear by making over his debt to Messrs. Taylor, Majendie, and Call, and should in return be secured by their bond.

The debt thus exonerated of so great a weight of its odium, and otherwise reduced from its alarming bulk, the agents thought they might venture to print a list of the creditors. This was done for the first time in the year 1783, during the duke of Portland's administration. In this list the name of Benfield was not to be seen. To this strong negative testimony was added the further testimony of the nabob of Arcot. The prince * (or rather Mr. Benfield for him) writes to the court of directors a Letter † full of complaints and accusations against lord Macartney,

* Appendix, No. 10.

† Dated 13th October. For further illustration of the style in which these letters were written, and the principles which they proceed, see letters from the nabob to the court of directors, dated August 16th, and September 7th, 1783, delivered by Mr. James Macpherson, minister to the nabob, January 14th, 1784. Appendix, No. 10.

conveyed

conveyed in such terms as were natural for one of Mr. Benfield's habits and education to employ. Amongst the rest he is made to complain of his lordship's endeavouring to prevent an intercourse of politeness and sentiment between him and Mr. Benfield; and to aggravate the affront, he expressly declares Mr. Benfield's visits to be only on account of respect and of gratitude, as no pecuniary transaction subsisted between them.

Such, for a considerable space of time, was the outward form of the loan of 1777, in which Mr. Benfield had no sort of concern. At length intelligence arrived at Madras, that this debt, which had always been renounced by the court of directors, was rather like to become the subject of something more like a criminal inquiry, than of any patronage or sanction from parliament. Every ship brought accounts, one stronger than the other, of the prevalence of the determined enemies of the Indian system. The publick revenues became an object desperate to the hopes of Mr. Benfield; he therefore resolved to fall upon his associates, and, in violation of that faith which subsists among those who have abandoned all other, commences a suit in the mayor's court against Taylor, Majendie, and Call, for the bond given to him, when he agreed to disappear for his own benefit as well as that of the common concern. The assignees of his debt, who little expected the springing of this mine, even

even from such an engineer as Mr. Benfield after recovering their first alarm, thought it best to take ground on the real state of the transaction. They divulged the whole mystery, and were prepared to plead that they had never received from Mr. Benfield any other consideration for the bond, than a transfer, in trust for himself, of his demand on the nabob of Arcot. An universal indignation arose against the perfidy of Mr. Benfield's proceeding: the event of the suit was looked upon as so certain, that Benfield was compelled to retreat as precipitately as he had advanced boldly; he gave up his bond, and was reinstated in his original demand, to wait the fortune of other claimants. At that time, and at Madras, this hope was dull indeed; but at home another scene was preparing.

It was long before any publick account of this discovery at Madras had arrived in England, that the present minister and his board of control, thought fit to determine on the debt of 1777. The recorded proceedings at this time knew nothing of any debt to Benfield. There was his own testimony; there was the testimony of the list; there was the testimony of the nabob of Arcot against it. Yet such was the ministers' feeling of the true secret of this transaction, that they thought proper, in the teeth of all these testimonies, to give him licence to return to Madras. Here the ministers were under some embarrassment.

ment. Confounded between their resolution of rewarding the good services of Benfield's friends and associates in England, and the shame of sending that notorious incendiary to the court of the nabob of Arcot, to renew his intrigues against the British government, at the time they authorize his return, they forbid him under the severest penalties, from any conversation with the nabob or his ministers; that, is, they forbid his communication with the very person on account of his dealings with whom they permit his return to that city. To overtop this contradiction, there is not a word restraining him from the freest intercourse with the nabob's second son, the real author of all that is done in the nabob's name; who, in conjunction with this very Benfield, has acquired an absolute dominion over that unhappy man, is able to persuade him to put his signature to whatever paper they please, and often without any communication of the contents. This management was detailed to them at full length by lord Macartney, and they cannot pretend ignorance of it*.

I believe, after this exposure of facts, no man can entertain a doubt of the collusion of ministers with the corrupt interest of the delinquents in India. Whenever those in authority provide for the interest of any person, on the real but concealed

* Appendix, No. 6.

state

state of his affairs, without regard to his avowed, publick, and ostensible pretences, it must be presumed that they are in confederacy with him, because they act for him on the same fraudulent principles on which he acts for himself. It is plain, that the ministers were fully apprised of Benfield's real situation, which he had used means to conceal, whilst concealment answered his purposes. They were, or the person on whom they relied was, of the cabinet council of Benfield, in the very depth of all his mysteries. An honest magistrate compels men to abide by one story. An equitable judge would not hear of the claim of a man who had himself thought proper to renounce it. With such a judge his shuffling and prevarication would have damned his claims; such a judge never would have known, but in order to animadvert upon proceedings of that character.

I have thus laid before you, Mr. Speaker, I think with sufficient clearness, the connexion of the ministers with Mr. Atkinson at the general election; I have laid open to you the connexion of Atkinson with Benfield; I have shewn Benfield's employment of his wealth, in creating a parliamentary interest, to procure a ministerial protection; I have set before your eyes his large concern in the debt, his practices to hide that concern from the publick eye, and the liberal protection which he has received from the minister. If this

East India delinquents, but that they have only formed an alliance with them for screening each other from justice, according to the exigence of their several necessities. That they have done so is evident; and the junction of the power of office in England, with the abuse of authority in the east, has not only prevented even the appearance of redress to the grievances of India, but I wish it may not be found to have dulled, if not extinguished, the honour, the candour, the generosity the good nature, which used formerly to characterize the people of England. I confess, I wish that some more feeling than I have yet observed for the sufferings of our fellow-creatures and fellow-subjects in that oppressed part of the world, had manifested itself in any one quarter of the kingdom, or in any one large description of men.

That these oppressions exist, is a fact no more denied, than it is resented as it ought to be. Much evil has been done in India under the British authority. What has been done to redress it? We are no longer surprised at any thing. We are above the unlearned and vulgar passion of admiration. But it will astonish posterity, when they read our opinions in our actions, that after years of inquiry we have found out that the sole grievance of India consisted in this, that the servants of the company there had not profited enough of their opportunities nor drained it sufficiently of

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its treasures; when they shall hear that the very first and only important act of a commission specially named by act of parliament, is to charge upon an undone country, in favour of a handful of men in the humblest ranks of the publick service, the enormous sum of perhaps four millions of sterling money.

It is difficult for the most wise and upright government to correct the abuses of remote delegated power, productive of unmeasured wealth, and protected by the boldness and strength of the same ill-got riches. These abuses, full of their own wild native vigour, will grow and flourish under mere neglect. But where the supreme authority, not content with winking at the rapacity of its inferiour instruments, is so shameless and corrupt as openly to give bounties and premiums for disobedience to its laws; when it will not trust to the activity of avarice in the pursuit of its own gains; when it secures publick robbery by all the careful jealousy and attention with which it ought to protect property from such violence; the commonwealth then is become totally perverted from its purposes; neither God nor man will long endure it; nor will it long endure itself. In that case, there is an unnatural infection, a pestilential taint fermenting in the constitution of society, which fever and convulsions of some kind or other must throw off; or in which the vital powers, worsted

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in an unequal struggle, are pushed back upon themselves, and by a reversal of their whole functions, fester to gangrene, to death; and instead of what was but just now the delight and boast of the creation, there will be cast out in the face of the sun, a bloated, putrid, noisome carcass, full of stench and poison, an offence, a horrour, a lesson to the world.

In my opinion, we ought not to wait for the fruitless instruction of calamity to inquire into the abuses which bring upon us ruin in the worst of its forms, in the loss of our fame and virtue. But the right honourable gentleman * says, in answer to all the powerful arguments of my honourable friend—"that this inquiry is of a delicate nature, "and that the state will suffer detriment by the "exposure of this transaction." But it is exposed; it is perfectly known in every member, in every particle, and in every way, except that which may lead to a remedy. He knows that the papers of correspondence are printed, and that they are in every hand.

He and delicacy are a rare and a singular coalition. He thinks that to divulge our Indian politicks, may be highly dangerous. He! the mover! the chairman! the reporter of the committee of secrecy! he that brought forth in the utmost detail, in several vast, printed folios, the most recon-

* Mr. Dundas.

dite

dite parts of the politicks, the military, the revenues of the British empire in India! With six great chopping bastards,* each as lusty as an infant Hercules, this delicate creature blushes at the sight of his new bridegroom, assumes a virgin delicacy; or, to use a more fit, as well as a more poetick comparison, the person so squeamish, so timid, so trembling lest the winds of heaven should visit too roughly, is expanded to broad sunshine, exposed like the sow of imperial augury, lying in the mud with all the prodigies of her fertility about her, as evidence of her delicate amours—*Triginta capitum fœtus enixa jacebat, alba solo recubans albi circum ubera nati.*

Whilst discovery of the misgovernment of others led to his own power, it was wise to inquire; it was safe to publish: there was then no delicacy; there was then no danger. But when his object is obtained, and in his imitation he has outdone the crimes that he had reprobated in volumes of reports, and in sheets of bills of pains and penalties; then concealment becomes prudence; and it concerns the safety of the state, that we should not know, in a mode of parliamentary cognizance, what all the world knows but too well, that is, in what manner he chooses to dispose of the publick revenues to the creatures of his politicks.

* Six Reports of the Committee of Secrecy.

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The debate has been long, and as much so on my part, at least, as on the part of those who have spoken before me. But long as it is, the more material half of the subject has hardly been touched on; that is, the corrupt and destructive system to which this debt has been rendered subservient, and which seems to be pursued with at least as much vigour and regularity as ever. If I considered your ease or my own, rather than the weight and importance of this question, I ought to make some apology to you, perhaps some apology to myself, for having detained your attention so long. I know on what ground I tread. This subject, at one time taken up with so much fervour and zeal, is no longer a favourite in this house. The house itself has undergone a great and signal revolution. To some the subject is strange and uncouth; to several harsh and distasteful; to the reliques of the last parliament it is a matter of fear and apprehension. It is natural for those who have seen their friends sink in the tornado which raged during the late shift of the monsoon, and have hardly escaped on the planks of the general wreck, it is but too natural for them, as soon as they make the rocks and quicksands of their former disasters, to put about their new-built barks, and, as much as possible, to keep aloof from this perilous lee shore.

But let us do what we please to put India from our thoughts, we can do nothing to separate it from

from our publick interest and our national reputation. Our attempts to banish this importunate duty, will only make it return upon us again and again, and every time in a shape more unpleasant than the former. A government has been fabricated for that great province; the right honourable gentleman says, that therefore you ought not to examine into its conduct. Heavens! what an argument is this! We are not to examine into the conduct of the direction, because it is an old government: we are not to examine into this board of controul, because it is a new one. Then we are only to examine into the conduct of those who have no conduct to account for. Unfortunately the basis of this new government has been laid on old condemned delinquents, and its superstructure is raised out of persecutors turned into protectors. The event has been such as might be expected. But if it had been otherwise constituted; had it been constituted even as I wished, and as the mover of this question had planned, the better part of the proposed establishment was in the publicity of its proceedings: in its perpetualresponsibility to parliament. Without this check, what is our government at home, even awed, as every European government is, by an audience formed of the other states of Europe, by the applause or condemnation of the discerning and critical company before which it acts? But if the scene on the other side of

the globe, which tempts, invites, almost compels to tyranny and rapine, be not inspected with the eye of a severe and unremitting vigilance, shame and destruction must ensue. For one, the worst event of this day, though it may deject, shall not break or subdue me. The call upon us is authoritative. Let who will shrink back, I shall be found at my post. Baffled, discountenanced, subdued, discredited, as the cause of justice and humanity is, it will be only the dearer to me. Whoever therefore shall at any time bring before you any thing towards the relief of our distressed fellow-citizens in India, and towards a subversion of the present most corrupt and oppressive system for its government, in me shall find, a weak, I am afraid, but a steady, earnest, and faithful assistant.

APPENDIX.

APPENDIX.

No. I.

CLAUSES OF MR. PITT'S BILL.

Referred to from p. 202.

Appointing Commissioners to inquire into the fees, gratuities, perquisites, emoluments, which are, or have been lately, received in the several publick offices therein mentioned; to examine into any abuses which may exist in the same, &c.

AND be it further enacted, that it shall and may be lawful to and for the said commissioners, or any two of them, and they are hereby impowered, authorized, and required, *to examine upon oath* (which oath they, or any two of them, are hereby authorized to administer) the several persons, of *all* descriptions, belonging to any of the offices or departments before mentioned, and *all other persons* whom the said commissioners, or any two of them, shall think fit to examine, touching *the business* of each office or department,

and *the fees, gratuities, perquisites, and emoluments taken therein,* and touching all other matters and things necessary for the execution of the powers vested in the said commissioners by this act; *all which persons* are hereby required and directed punctually to attend the said commissioners, *at such time and place as they, or any two of them, shall appoint, and also to observe and execute such orders and directions* as the said commissioners, or any two of them, shall make or give for the purposes before mentioned.

And be it enacted by the authority aforesaid, that the said commissioners, or any two of them, shall be, and are hereby impowered to examine into any corrupt and fraudulent practices, or other misconduct, committed by any person or persons concerned in the management of any of the offices or departments hereinbefore mentioned; and, for the better execution of this present act, the said commissioners, or *any two of them are hereby authorized to meet and sit, from time to time, in such place or places as they shall find most convenient, with or without adjournment, and to send their precept or precepts, under their hands and seals, for any person or persons whatsoever, and for such books, papers, writings, or records, as they shall judge necessary for their information, relating to any of the offices or departments hereinbefore mentioned; and all bailiffs, constables, sheriffs, and other*

ther his majesty's officers, are hereby required to obey and execute such orders and precepts aforesaid, as shall be sent to them or any of them by the said commissioners, or any two of them, touching the premises.

APPENDIX, No. 2.

Referred to from p. 208.

NABOB OF ARCOT'S DEBTS.

MR. GEORGE SMITH being asked, Whether the debts of the nabob of Arcot have increased since he knew Madras? he said, Yes, they have. He distinguishes his debts into two sorts; those contracted before the year 1766, and those contracted from that year to the year in which he left Madras.—Being asked, What he thinks is the original amount of the old debts? he said, Between twenty-three and twenty-four lacks of pagodas, as well as he can recollect.—Being asked, What was the amount of that debt when he left Madras? he said, Between four and five lacks of pagodas, as he understood.——Being asked, What was the amount of the new debt when he left Madras? he said, In November, 1777, that debt amounted, according to the nabob's own account, and published

lished at Chipauk, his place of residence, to sixty lacks of pagodas, independent of the old debt, on which debt of sixty lacks of pagodas, the nabob did agree to pay an interest of twelve per cent. per annum.—Being asked, Whether this debt was approved of by the court of directors? he said, He does not know it was.—Being asked, Whether the old debt was recognised by the court of directors? he said, Yes, it has been; and the court of directors have sent out repeated orders to the president and council of Madras, to enforce its recovery and payment.—Being asked, If the interest upon the new debt is punctually paid? he said, It was not during his residence at Madras, from 1777 to 1779, in which period he thinks no more than five per cent. interest was paid, in different dividends of two and one per cent.—Being asked, What is the usual course taken by the nabob, concerning the arrears of interest? he said, Not having ever lent him monies himself, he cannot fully answer as to the mode of settling the interest with him.

Being asked, Whether he has reason to believe the sixty lacks of pagodas was all principal money really and truly advanced to the nabob of Arcot, or a fictitious capital, made up of obligations given by him, where no money or goods were received, or which was increased by the uniting into it a greater interest than the 12 per cent. expressed to be

be due on the capital? he said, He has no reason to believe that the sum of sixty lacks of pagodas was lent in money or goods to the nabob, because that sum he thinks is of more value than all the money, goods, and chattels in the settlement; but he does not know in what mode or manner this debt of the nabob's was incurred or accumulated. Being asked, Whether it was not a general and well-grounded opinion at Madras, that a great part of this sum was accumulated by obligations, and was for services performed or to be performed for the nabob? he said, He has heard that a part of this debt was given for the purposes mentioned in the above question, but he does not know that it was so.—Being asked, Whether it was the general opinion of the settlement? he said, He cannot say that it was the general opinion, but it was the opinion of a considerable part of the settlement. Being asked, Whether it was the declared opinion of those that were concerned in the debt, or those that were not? he said, It was the opinion of both parties, at least such of them as he conversed with.—Being asked, Whether he has reason to believe that the interest really paid by the nabob, upon obligations given, or money lent, did not frequently exceed 12 per cent.?—he said, Prior to the first of August 1774, he had had reason to believe, that a higher interest than 12 per cent. was paid by the nabob on monies lent to him;

but

but from and after that period, when the last act of parliament took place in India, he does not know that more than 12 per cent. had been paid by the nabob, or received from him.—Being asked, Whether it is not his opinion, that the nabob has paid more than 12 per cent. for money due since the 1st of August 1774? he said, he has heard that he has, but he does not know it.—Being asked, Whether he has been told so by any considerable and weighty authority, that was like to know? he said, He has been so informed by persons who he believes had a very good opportunity of knowing it.—Being asked, whether he was ever told so by the nabob of Arcot himself? he said, He does not recollect that the nabob of Arcot directly told him so, but from what he said, he did infer that he paid a higher interest than 12 per cent.

Mr. Smith being asked, Whether, in the course of trade, he ever sold any thing to the nabob of Arcot? he said, In the year 1775 he did sell to the nabob of Arcot pearls to the amount of 32,500 pagodas, for which the nabob gave him an order or tankah on the country of Tanjore, payable in six months, without interest.—Being asked, Whether, at the time he asked the nabob his price for the pearls, the nabob beat down that price, as dealers commonly do? he said, No; so far from it, he offered him more than he asked by 1,000

pagodas,

pagodas, and which he rejected. Being asked, Whether in settling a transaction of discount with the nabob's agent, he was not offered a greater discount than 12*l.* per cent. he said, In discounting a soucar's bill for 180,000 pagodas, the nabob's agent did offer him a discount of 24 per cent. per annum, saying, that it was the usual rate of discount paid by the nabob; but which he would not accept of, thinking himself confined by the act of parliament limiting the interest of monies to 12 per cent. and accordingly he discounted the bill at 12 per cent. per annum only.—Being asked, Whether he does not think those offers were made him, because the nabob thought he was a person of some consequence in the settlement? he said, Being only a private merchant, he apprehends that the offer was made to him more from its being a general practice, than from any opinion of his importance.

APPENDIX,

APPENDIX, No. 3.

Referred to from p. 288.

A BILL for the better government of the territorial possessions and dependencies in India.

[*One of Mr. Fox's India Bills.*]

AND be it further enacted by the authority aforesaid, that the nabob of Arcot, the rajah of Tanjore, or any other native protected prince in India, shall not assign, mortgage, or pledge any territory or land whatsoever, or the produce or revenue thereof, to any British subject whatsoever; neither shall it be lawful to and for any British subject whatsoever to take or receive any such assignment, mortgage, or pledge; and the same are hereby declared to be null and void; and all payments or deliveries of produce or revenue, under any such assignment, shall and may be recovered back by such native prince paying or delivering the same, from the person or persons receiving the same, or his or their representatives.

APPENDIX,

APPENDIX, No. 4.

Referred to from p. 262 and p. 263.

(COPY.)

27th May, 1782.

LETTER from the Committee of assigned Revenue, to the President and Select Committee, dated 27th May, 1782; with comparative statement, and minute thereon.

To the Right Honourable Lord MACARTNEY, K.B. President, and Governour, &c. Select Committee of Fort St. George.

My Lord, and Gentlemen,

ALTHOUGH we have, in obedience to your commands of the 5th January, regularly laid before you our proceedings at large, and have occasionally addressed you upon such points as required your resolutions or orders for our guidance, we still think it necessary to collect and digest, in a summary report, those transactions in the management of the assigned revenue, which have principally engaged our attention, and which, upon the proceeding, are too much intermixed with

with ordinary occurrences to be readily traced and understood.

Such a report may be formed with the greater propriety at this time, when your lordship, &c. have been pleased to conclude your arrangements for the rent of several of the nabob's districts. Our aim in it is briefly to explain the state of the Carnatick at the period of the nabob's assignment; the particular causes which existed, to the prejudice of that assignment, after it was made; and the measures which your lordship, &c. have, upon our recommendation, adopted for removing those causes, and introducing a more regular and beneficial system of management in the country.

Hyder Ally having entered the Carnatick with his whole force, about the middle of July, 1780, and employed fire and sword in its destruction for near eighteen months before the nabob's assignment took place, it will not be difficult to conceive the state of the country at that period. In those provinces which were fully exposed to the ravages of horse, scarce a vestige remained either of population or agriculture: such of the miserable inhabitants as escaped the fury of the sword were either carried into the Mysore country, or left to struggle under the horrours of famine. The Arcot and Trichinopoly districts began early to feel the effects of this desolating war. Tinnevelly, Madura, and Ramnadaporum, though little infest-

ed

ed with Hyder's troops, became a prey to the incursions of the Polygars, who stript them of the greatest part of the revenues; Ongole, Nellore, and Palnaud, the only remaining districts, had suffered but in a small degree.

The misfortunes of war, however, were not the only evils which the Carnatick experienced. The nabob's aumildars, and other servants, appear to have taken advantage of the general confusion to enrich themselves. A very small part of the revenue was accounted for; and so high were the ordinary expences of every district, that double the apparent produce of the whole country would not have satisfied them.

In this state, which we believe is no way exaggerated, the company took charge of the assigned countries. Their prospect of relief from the heavy burthens of the war, was indeed but little advanced by the nabob's concession; and the revenues of the Carnatick seemed in danger of being irrecoverably lost, unless a speedy and entire change of system could be adopted.

On our minutes of the 21st January, we treated the subject of the assignment at some length, and pointed out the mischiefs which, in addition to the effects of the war, had arisen from what we conceived to be wrong and oppressive management.—We used the freedom to suggest an entire alteration in the mode of realizing the revenues.

We

We proposed a considerable and immediate reduction of expences, and a total change of the principal aumildars who had been employed under the nabob.

Our ideas had the good fortune to receive your approbation; but the removal of the nabob's servants being thought improper at that particular period of the collections, we employed our attention chiefly in preserving what revenue was left the country, and acquiring such materials as might lead to a more perfect knowledge of its former and present state.

These pursuits, as we apprehended, met with great obstructions from the conduct of the nabob's servants. The orders they received were evaded under various pretexts; no attention was paid to the strong and repeated applications made to them for the accounts of their management; and their attachment to the company's interest appeared, in every instance, so feeble, that we saw no prospect whatever of success, but in the appointment of renters under the company's sole authority.

Upon this principle we judged it expedient to recommend, that such of the nabob's districts as were in a state to be farmed out, might be immediately let by a publick advertisement, issued in the company's name, and circulated through every province of the Carnatick; and with the view

view of encouraging bidders, we proposed, that the countries might be advertised for the whole period of the nabob's assignment, and the security of the company's protection promised, in the fullest manner, to such persons as might become renters.

This plan had the desired effect; and the attempts which were secretly made to counteract it, afforded an unequivocal proof of its necessity: but the advantages resulting from it were more pleasingly evinced, by the number of proposals that were delivered, and by the terms which were in general offered for the districts intended to be farmed out.

Having so far attained the purposes of the assignment, our attention was next turned to the heavy expences entailed upon the different provinces; and here, we confess, our astonishment was raised to the highest pitch. In the Trichinopoly country, the standing disbursements appeared, by the nabob's own accounts, to be one lack of rupees more than the receipts. In other districts, the charges were not in so high a proportion, but still rated on a most extravagant scale; and we saw, by every account that was brought before us, the absolute necessity of retrenching considerably in all the articles of expence.

Our own reason, aided by such inquiries as we were able to make, suggested the alterations we have

have recommended to your lordship, &c. under this heard. You will observe, that we have not acted sparingly; but we chose rather, in cases of doubt, to incur the hazard of retrenching too much, than too little; because it would be easier, after any stated allowance for expences, to add what might be necessary, than to diminish. We hope, however, there will be no material increase in the articles as they now stand.

One considerable charge upon the nabob's country was for extraordinary sibbendies, sepoys, and horsemen, who appeared to us to be a very unnecessary incumbrance on the revenue. Your lordship, &c. have determined to receive such of these people as will inlist into the company's service, and discharge the rest. This measure will not only relieve the country of a heavy burthen, but tend greatly to fix in the company that kind of authority, which is requisite for the due collection of the revenues.

In consequence of your determination respecting the nabob's sepoys, &c. every charge under that head has been struck out of our account of expences. If the whole number of these people be enlisted by the company, there will probably be no more than sufficient to complete their ordinary military establishment. But should the present reduction of the nabob's artillery render it expedient, after the war, to make any addition to the

the company's establishment, for the purposes of the assigned countries; the expence of such addition, whatever it be, must be deducted from the present account of savings.

In considering the charges of the several districts, in order to establish better regulations, we were careful to discriminate those incurred for troops kept, or supposed to be kept up for the defence of the country, from those of the sibbendy, servants, &c. for the cultivation of the lands, and the collection of the revenues, as well as to pay attention to such of the established customs of the country, ancient privileges of the inhabitants, and publick charities, as were necessarily allowed, and appeared proper to be continued; but which, under the nabob's government were not only rated much higher, but had been blended under one confused and almost unintelligible title of Expences of the districts; so joined, perhaps, to afford pleas and means of secreting and appropriating great part of the revenues to other purposes than fairly appeared; and certainly betrayed the utmost neglect and mismanagement, as giving latitude for every species of fraud and oppression. Such a system has, in the few latter years of the nabob's necessities, brought all his countries into that situation, from which nothing but the most rigid œconomy, strict observance of the conduct of managers, and the most conciliating attention,

to the rights of the inhabitants, can possibly recover them.

It now only remains for us to lay before your lordship, &c. the inclosed statement of the sums at which the districts lately advertised have been let, compared with the accounts of their produce delivered by the nabob, and entered on our proceedings of the 21st January. Likewise a comparative view of the former and present expences.

The nabob's accounts of the produce of these districts state, as we have some reason to think, the sums which former renters engaged to pay to him (and which were seldom, if ever, made good) and not the sums actually produced by the districts; yet we have the satisfaction to observe, that the present aggregate rents, upon an average, are equal to those accounts. Your lordship, &c. cannot indeed expect, that, in the midst of the danger, invasion, and distress, which assail the Carnatick on every side, the renters now appointed will be able at present to fulfil the terms of their leases; but we trust, from the measures we have taken, that very little, if any, of the actual collections will be lost, even during the war; and that on the return of peace and tranquillity, the renters will have it in their power fully to perform their respective agreements.

We much regret that the situation of the Arcot province will not admit of the same settlement which

which has been made for the other districts; but the enemy being in possession of the capital, together with several other strong holds, and having entirely desolated the country, there is little room to hope for more from it than a bare subsistence to the few garrisons we have left there.

We shall not fail to give our attention towards obtaining every information respecting this province; that the present times will permit; and to take the first opportunity to propose such arrangements for the management as we may think eligible.

We have the honour to be
Your most obedient
Humble servants,

Charles Oakley,
Eyles Irwin,
Hall Plumer,
David Haliburton,
George Moubray,

Fort St. George,
27th May, 1782.

A true copy,
J. Hudleston, Sec.

COMPARATIVE STATEMENT of the Revenues and Expences of Nellore, Ongole, Patnaud, Trichinopoly, Madura, and Tennevelly Countries, while in the Hands of the Nabob, with those of the same Countries on the Terms of the Leases lately granted for Four Years to commence with the beginning of the Phazeley 1192, or the 12th July, 1782. Abstracted from the Accounts received from the Nabob, and from the Rents stipulated for, and Expences allowed by the present Leases.

	Gross Revenue.		Expences.			Net Revenue.		
	Annual Gross Rent by the Nabob's Account, Average of the four Years immediately preceding the present War.	Annual Rent, by the present Leases, at an Average of Four Years.	Annual Expences by the Nabob's Accounts.	Annual Expences allowed by the present Leases at an Estimate.	Reduction in the annual Expences.	Net Revenue by the Nabob's Accounts.	Net Revenue by the present Leases.	Increase of Net Revenue.
	Star Pagodas	Star Pagodas.	Star Pagodas.	Star Pagodas.	Star Pagodas.	Star Pagodas.	Star Pagodas.	Star Pagodas.
Nellore and Sevapully	3,22,830	3,61,900	1,98,794	33,000	1,65,794	1,24,036	3,28,900	2,04,864
Ongole — — —	1,10,967 (a)	55,000	88,254	—	88,254	22,713	55,000	32,287
Patnaud — — —	51,355	53,500	25.721	5,698	20,023	25,634	47,802	22,168
Trichinopoly — —	2,89,993 (b)	2,73,214	2,82,148	19,143	2,63,005	7,845	2,54,071	2,46,226
Madura — — —	1,02,756	60,290	63,710	12,037	51,673	39,046	48,253	9,[illegible]07
Tennevelly — —	5,65,537	5,79,713	1,64,098	70,368	93,730	4,01,439	5,09,345	1,67,906
Total	14,43,438	13,83,617	8,22,725	1,40,246	6,82,479	6,20,713	12,43,371	6,22,658

N. B. In this statement, Madras Pagodas are calculated at 10 per cent. Batta, Chuckrums at 2.8ds of a Porto Novo Pagoda, which are reckoned at (a) 115 per 100 Star Pagodas, and Rupees at 350 per 100 Star Pagodas. To avoid fractions, the nearest internal numbers have been taken.

In this statement, the Ongole country, though it is included under the head of gross revenue, has been left for a certain sum, exclusive of charges. If the expences specified in the Nabob's vassool accounts for this district are added; the present gross revenue even would appear to exceed the Nabob's—and as the country is only let for one year, there may hereafter be an increase of its revenue.

(b) The Trichinopoly countries let for the above sum, exclusive of the expences of Sibbendy and Saderwared, amounting by the Nabob's accounts to rupees 1,30,00 per annum, which are to be defrayed by the renter.—And the jaghires of Amur ul Omrah, and the Begum, are not included in the present lease.

Fort St. George, 27th May, 1782.

Signed { *Charles Oakley, Eyles Irwin, Hall Plumer, David Haliburton, Geo. Moubray.*

APPENDIX, No. 5.

Referred to from p. 278.

CASE of certain Persons renting the assigned Lands under the authority of the East-India Company.

Extract of a Letter from the President and Council of Fort St. George, 25th May, 1783.

" ONE of them [the renters] Ram Chunder Raus, was indeed one of those unfortunate rajahs, whose country, *by being near to the territories of the nabob*, forfeited its title to independence; and became the prey of ambition and cupidity. This man, though not able to resist the company's arms, *employed in such a deed at the nabob's instigation*, had industry and ability. He acquired, *by a series of services*, even the confidence of the nabob; who suffered him to *rent a part of the country of which he had deprived him of the property*. This man had afforded no motive for his rejection by the nabob, but that of being ready to engage with the company; a motive most powerful indeed, but not to be avowed."

[This is the person whom the English instruments of the nabob of Arcot have had the audacity

city to charge with a corrupt transaction with lord Macartney; and, in support of that charge, to produce a forged letter from his lordship's steward. The charge and letter the reader may see in this appendix, under the proper head. It is asserted, by the unfortunate prince above mentioned, that the company first settled on the coast of Coromandel under the protection of one of his ancestors. If this be true (and it is far from unlikely) the world must judge of the return the descendant has met with. The case of another of the victims, given up by the ministry, though not altogether so striking as the former, is worthy of attention. It is that of the renter of the province of Nellore.]

"IT is with a wantonness of falsehood, and indifference to detection, asserted to you, in proof of the validity of the nabob's objections, that this man's failures had already forced us to remove him; though in fact he has continued invariably in office; though our *greatest supplies have been received from him;* and that, in the disappointment of your remittances [the remittances from Bengal] and of other resources, the specie sent us *from Nellore alone* has sometimes enabled us to carry on the publick business; and that the *present expedition against the French* must, without *this* assistance from the assignment, have been laid aside, or delayed until it might have become too late."

[This

[This man is by the ministry given over to the mercy of persons capable of making charges on him, "*with a wantonness of falsehood, and indif-* "*ference to detection.*" What is likely to happen to him and the rest of the victims, may appear by the following]

Letter to the Governour General, and Council, March 13th, 1782.

"The speedy termination to which the people were taught to look, of the company's interference in the revenues, and the vengeance denounced against those who, contrary to the mandate of the durbar, should be connected with them, as reported by Mr. Sulivan, may, as much as the former exactions and oppressions of the nabob in the revenue, as reported by the commander in chief, have deterred some of the fittest men from offering to be concerned in it.

"The timid dispostion of the Hindoo natives of this country was not likely to be insensibly to the specimen of that vengeance given by his excellency the amur, who upon the mere rumour that a Bramin, of the name of Appagee Row, had given proposals to the company for the rentership of Vellore, had the temerity to send for him, and to put him in confinement.

"A man thus seized by the nabob's seapoys within the walls of Madras, gave a general alarm; and

and government found it necessary to promise the protection of the company, in order to calm the apprehensions of the people."

APPENDIX, No. 6.

Referred to from p. 307—312.

Extract of a Letter from the Council and Select Committee at Fort St. George, to the Governour General and Council, dated 25th May, 1783.

In the prosecution of our duty, we beseech you to consider as an act of strict and necessary justice, previous to reiteration of your orders for the surrender of the assignment, how far it would be likely to affect third persons, who do not appear to have committed any breach of their engagements. You command us to compel our aumils to deliver over their respective charges as shall be appointed by the nabob, or to retain their trust under his sole authority, if he shall chuse to confirm them. These aumils are really renters, they were appointed in the room of the nabob's aumils, and contrary to his wishes; they have already been rejected by him, and are therefore not likely to be confirmed by him. They applied to this government, in consequence of publick advertisements in our name, as possessing in this instance the joint authority

authority of the nabob and the company, and have entered into mutual and strict covenants with us, and we with them, relative to the certain districts not actually in the possession of the enemy; by which covenants, as they are bound to the punctual payment of their rents, and due management of the country, so we, and our constituents, and the publick faith, are in like manner bound to maintain them in the enjoyment of their leases, during the continuance of the term; that term was for five years agreeably to the words of the assignment, which declare that the time of renting shall be for three or five years, as the governour shall settle with the renters.—Their leases cannot be legally torn from them. Nothing but their previous breach of a part could justify our breach of the whole; such a stretch and abuse of power would indeed not only savour of the assumption of sovereignty, but of arbitrary and oppressive despotism. In the present contest, whether the nabob be guilty, or we be guilty, the renters are not guilty. Whichever of the contending parties has broken the condition of the assignment, the renters have not broken the condition of their leases. These men, in conducting the business of the assignment, have acted in opposition to the designs of the nabob, in despite of the menaces denounced against all who should dare to oppose the mandates of the durbar justice. Gratitude and humanity require

require that provision should be made by you, before you set the nabob's ministers loose on the country, for the protection of the victims devoted to their vengeance.

Mr. Benfield, to secure the permanency of his power, and the perfection of his schemes, thought it necessary to render the nabob an absolute stranger to the state of his affairs. He assured his highness, that full justice was not done to the strength of his sentiments, and the keenness of his attacks, in the translations that were made by the company's servants from the original Persian of his letters. He therefore proposed to him, that they should for the future be transmitted in English.—Of the English language or writing his highness, or the ameer, cannot read one word, though the latter can converse in it with sufficient fluency. The Persian language, as the language of the Mahommedan conquerors, and of the court of Delhi, as an appendage or signal of authority, was at all times particularly affected by the nabob:—it is the language of all acts of state, and all publick transactions, among the mussulman chiefs of Indostan. The nabob thought to have gained no inconsiderable point, in procuring the correspondence from our predecessors to the rajah of Tanjore to be changed from the Marattah language, which that Hindoo prince understands, to the Persian, which he disclaims understanding. To force the rajah to the nabob's

language,

language, was gratifying the latter with a new species of subserviency. He had formerly contended with considerable anxiety, and it was thought no inconsiderable cost, for particular forms of address to be used towards him in that language. But all of a sudden, in favour of Mr. Benfield, he quits his former affections, his habits, his knowledge, his curiosity, the increasing mistrust of age, to throw himself upon the generous candour, the faithful interpretation, the grateful return and eloquent organ of Mr. Benfield!—*Mr. Benfield relates and reads what he pleases to his excellency the Ameer-ul-Omrah—his excellency communicates with the nabob his father, in the language the latter understands. Through two channels so pure, the truth must arrive at the nabob in perfect refinement; through this double trust, his highness receives whatever impression it may be convenient to make on him: he abandons his signature to whatever paper they tell him contains, in the English language, the sentiments with which they had inspired him. He thus is surrounded on every side. He is totally at their mercy, to believe what is not true, and to subscribe to what he does not mean. There is no system so new, so foreign to his intentions, that they may not pursue in his name, without possibility of detection: for they are cautious of who approach him, and have thought prudent to decline, for him, the visits of the governour*, even upon the usual solemn and acceptable occasion of delivering to his highness

highness the company's letters. *Such is the complete ascendency gained by Mr. Benfield.* It may be partly explained by the facts observed already some years ago by Mr. Benfield himself, in regard to the nabob, of the infirmities natural to his advanced age, joined to the decays of his constitution. To this ascendency, in proportion as it grew, must chiefly be ascribed, if not the origin, at least the continuance and increase, of the nabob's disunion with this presidency; a disunion which creates the importance, and subserves the resentments of Mr. Benfield; *and an ascendency which, if you effect the surrender of the assignment, will intirely leave the exercise of power, and accumulation of fortune, at his boundless discretion; to him, and to the Ameer-ul-Omrah, and to Syed Assam Cawn, the assignment would in fact be surrendered.* HE WILL (IF ANY) BE THE SOUCAR SECURITY; *and security in this country is counter-secured by possession. You would not chuse to take the assignment from the company, to give it to individuals.* Of the impropriety of its returning to the nabob, Mr. Benfield would now again argue from his former observations, that under his highness's management, his country declined, his people emigrated, his revenues decreased, and his country was rapidly approaching to a state of political insolvency. Of Syed Assam Cawn, we judge only from the observations this letter already contains. But of the other two persons [Ameer-ul-Omrah and Mr. Benfield]

field] we undertake to declare, not as parties in a cause, or even as voluntary witnesses, but as executive officers, reporting to you, in the discharge of our duty, and under the impression of the sacred obligation which binds us to truth, as well as to justice, that, from every observation of their principles and dispositions, and every information of their character and conduct, they have prosecuted projects to the injury and danger of the company and individuals; *that it would be improper to trust, and dangerous to employ them, in any publick or important situation; that the tranquillity of the Carnatick requires a restraint to the power of the ameer; and that the company, whose service and protection Mr. Benfield has repeatedly and recently forfeited, would be more secure against danger and confusion, if he were removed from their several presidencies.*

[After the above solemn declaration from so weighty an authority, the principal object of that awful and deliberate warning, instead of "being "removed from the several presidencies," is licensed to return to one of the principal of those presidencies, and the grand theatre of the operations on account of which the presidency recommends his total removal. The reason given is for the accommodation of that very debt which has been the chief instrument of his dangerous practices, and the main cause of all the confusions in the company's government.]

APPENDIX,

APPENDIX, No. 7.

Referred to from p. 284, and p. 291.

Extracts from the Evidence of Mr. Petrie, late Resident of the Company at Tanjore given to the Select Committee, relative to the Revenues and State of the Country, &c. &c.

9th May, 1782.

WILLIAM PETRIE, Esq. attending according to order, was asked, In what station he was in the company's service? he said, He went to India in the year 1765, a writer upon the Madras establishment; he was employed, during the former war with Hyder Ali, in the capacity of paymaster and commissary to part of the army, and was afterwards paymaster and commissary to the army in the first siege of Tanjore, and the subsequent campaigns; then secretary to the secret department from 1772 to 1775; he came to England in 1775, and returned again to Madras the beginning of 1778; he was resident at the durbar of the rajah of Tanjore from that time to the month of May; and from that time to January 1780 was chief of Nagore and Carrecal, the first of which was received from the rajah of Tanjore, and the second

cond was taken from the French.—Being asked, Who sent him to Tanjore? he said, Sir Thomas Rumbold, and the Secret Committee.——Being then asked, Upon what errand? he said, He went first up with a letter from the company to the rajah of Tanjore; he was directed to give the rajah the strongest assurances that he should be kept in possession of his country, and every privilege to which he had been restored; he was likewise directed to negotiate with the rajah of Tanjore for the cession of the seaport and district of Nagore, in lieu of the town and district of Devicotta, which he had promised to lord Pigot: these were the principal, and the best of his recollection at present the only objects in view, when he was first sent up to Tanjore. In the course of his stay at Tanjore other matters of business occurred between the company and the rajah, which came under his management as resident at that durbar. Being asked, Whether the rajah did deliver up to him the town and the annexed districts of Nagore voluntarily, or whether he was forced to it? he said, When he made the first proposition to the rajah, agreeable to the directions he had received from the secret committee at Madras, in the most free, open, and liberal manner, the rajah told him the seaport of Nagore was entirely at the service of his benefactors the company, and that he was happy in having that opportunity of testifying his gratitude to them; these may be supposed to be

words of course, but from every experience which he had of the rajah's mind and conduct, whilst he was at Tanjore, he has reason to believe that his declarations of gratitude to the company were perfectly sincere; he speaks of the town of Nagore at present, and a certain district, not of the districts to the amount of which they afterwards received. The rajah asked him, To what amount he expected a jaghire to the company: And the witness further said, That he acknowledged to the committee that he was not instructed upon that head; that he wrote for orders to Madras, and was directed to ask the rajah for a jaghire to a certain amount; that this gave rise to a long negotiation, the rajah representing to him his inability to make such a gift to the company as the secret committee at Madras seemed to expect; while he (the witness) on the other hand, was directed to make as good a bargain as he could for the company. From the view that he then took of the rajah's finances, from the situation of his country, and from the load of debt which pressed hard upon him, he believes he at different times, in his correspondence with the government, represented the necessity of their being moderate in their demands, and it was at last agreed to accept of the town of Nagore, valued at a certain annual revenue, and a jaghire annexed to the town, the whole amounting to 250,000 rupees.—Being asked, Whether it did

did turn out so valuable? he said, He had not a doubt but it would turn out more, as it was let for more than that to farmers at Madras, if they had managed the districts properly, *but they were strangers to the manners and customs of the people; when they came down they oppressed the inhabitants, and threw the whole district into confusion; the inhabitants, many of them, left the country, and deserted the cultivation of their lands, of course the farmers were disappointed of their collections, and they have since failed, and the company have lost a considerable part of what the farmers were to pay for the jaghire.* Being asked, Who these farmers were? he said, One of them was the renter of the St. Thomé district, near Madras, and the other, and the most responsible, was a Madras dubash. Being asked, Who he was dubash to? he said, to Mr. Cassmajor.

Being asked, Whether the lease was made upon higher terms than the district was rated to him by the rajah? he said, It was.—Being then asked, What reason was assigned why the district was not kept under the former management by amildars, or let to persons in the Tanjore country acquainted with the district? he said, No reasons were assigned: he was directed from Madras to advertise them to be let to persons of the country; but before he received any proposal, he received accounts that they were let at Madras in consequence of

publick advertisements which had been made there: he believes, indeed, there were very few men in those districts responsible enough to have been entrusted with the management of those lands. Being asked, Whether, at the time he was authorized to negotiate for Nagore in the place of Devicotta, Devicotta was given up to the rajah? he said, No.—Being asked, Whether the rajah of Tanjore did not frequently desire that the districts of Arné and Hanymantygoodé should be restored to him agreeable to treaty, and the company's orders to lord Pigot? he said, Many a time; and he transmitted his representations regularly to Madras.—Being then asked, Whether those places were restored to him? he said, Not while he was in India.

Being asked, Whether he was not authorized and required by the presidency at Madras to demand a large sum of money over and above the four lacks of pagodas that were to be annually paid by a grant of the rajah, made in the time of lord Pigot? he said, He was; to the amount, he believes, of four lacks of pagodas, commonly known by the name of deposit money.—Being asked, Whether the rajah did not frequently plead his inability to pay that money? he said, He did every time he mentioned it, and complained loudly of the demand.—Being asked, Whether he thinks those complaints were well founded? he says, He

thinks

thinks the rajah of Tanjore was not only not in a state of ability to pay the deposit-money, but that the annual payment of four lacks of pagodas was more than his revenues could afford.—Being asked, Whether he was not frequently obliged to borrow money, in order to pay the instalments of the annual payments, and such parts as he paid of the deposit? he said, Yes, he was.—Being asked, Where he borrowed the money? he said, He believes principally from soucars or native bankers, and some at Madras, as he told him.—Being asked, Whether he told him that his credit was very good, and that he borrowed upon moderate interest? he said, That he told him he found great difficulties in raising money, and was obliged to borrow at a most exorbitant interest, even some of it at 48 per cent. and he believes not a great deal under it: *he desired him (the witness) to speak to one of the soucars or bankers at Tanjore, to accommodate him with a loan of money! that man shewed him an account between him and the rajah, from which it appeared that he charged 48 per cent, besides compound interest.*——Being asked, Whether the sums due were large? he said, Yes, they were considerable; though he does not recollect the amount.—Being asked, Whether the banker lent the money? he said, He would not, unless the witness could procure him payment of his old arrears.

Being asked, What notice did the government

of Madras take of the king of Tanjore's representations of the state of his affairs, and his inability to pay? he said, He does not recollect that, in their correspondence with him, there was any reasoning upon the subject; and in his correspondence with Sir Thomas Rumbold, upon the amount of the jaghire, he seemed very desirous of adapting the demand of government to the rajah's circumstances; but whilst he staid at Tanjore, the rajah was not exonerated from any part of his burthens. —Being asked, Whether they ever desired the rajah to make up a statement of his accounts, disbursements, debts, and payments to the company, in order to ascertain whether the country was able to pay the increasing demands upon it? he said, Through him he is certain they never did.—Being then asked, If he ever heard whether they did through any one else? He said, He never did.

Being asked, Whether the rajah is not bound to furnish the cultivators of land with seed for their crops, according to the custom of the country? he said, *The king of Tanjore, as proprietor of the land, always makes advances of money for seed for the cultivation of the land.*—Being then asked, If money beyond his power of furnishing should be extorted from him, might it not prevent, in the first instance, the means of cultivating the country? he said, It certainly does, *he knows it for a fact; and he knows that when he left the country there were se-*

veral

veral districts which were uncultivated from that cause. Being asked, Whether it is not necessary to be at a considerable expence in order to keep up the mounds and water-courses? he said, *A very considerable one annually.*—Being asked, What would be the consequence if money should fail for that? he said, *In the first instance the country would be partially supplied with water, some districts would be overflowed, and others would be parched.*—Being asked, Whether there is not a considerable dam called the Anicut, on the keeping up of which the prosperity of the country greatly depends, and which requires a great expence? he said, Yes, there is; the whole of the Tanjore country is admirably well supplied with water, nor can he conceive any method could be fallen upon more happily adapted to the cultivation and prosperity of the country; but, as the Anicut is the source of that prosperity, any injury done to that must essentially affect all the other works in the country; it is a most stupendous piece of masonry; but from the very great floods frequently requiring repairs, which if neglected not only the expence of repairing must be greatly increased, but a general injury done to the whole country.—Being asked, Whether that dam has been kept in as good preservation since the prevalence of the English government as before? he said, From his own knowledge he cannot tell, but from every thing he has read or heard

of

of the former prosperity and opulence of the kings of Tanjore, he should suppose not.—Being asked, Whether he does not know of several attempts that have been made to prevent the repair, and even to damage the work? He said, The rajah himself frequently complained of that to him, and he has likewise heard it from others at Tanjore.—Being asked, Who it was that attempted those acts of violence? he said, He was told it was the inhabitants of the nabob's country adjoining to the Anicut.—Being asked, Whether they were not set on or instigated by the nabob? he answered, The rajah said so.—And being asked, What steps the president and council took to punish the authors, and prevent those violences? he said, To the best of his recollection, the governour told him he would make inquiries into it, but he does not know that any inquiries were made: that Sir Thomas Rumbold, the governour, informed him that he had laid his representations with respect to the Anicut before the nabob, who denied that his people had given any interruption to the repairs of that work.

10th May.

Being asked, What he thinks the real clear receipt of the revenues of Tanjore were worth when he left it? he said, He cannot say what was the net amount, as he does not know the expence of the rajah's collection, but while he was at Tanjore he

understood

understood from the rajah himself, and from his ministers, that the gross collection did not exceed nine lack of pagodas, (360,000l.)—Being asked, Whether he thinks the country could pay the eight lack of pagodas which had been demanded to be paid in the course of one year? he said, Clearly not.—Being asked, Whether there was not an attempt made to remove the rajah's minister, upon some delay in payment of the deposit? he said, The governor of Madras wrote to that effect, which he represented to the rajah.—Being asked, Who was mentioned to succeed to the minister that then was, in case he should be removed? he said, When Sir Hector Munro came afterwards to Tanjore, the old daubiere was mentioned, and recommended to the rajah as successor to his then dewan.—Being asked, Of what age was the daubiere at that time? he said, Of a very great age, upwards of fourscore.—Being asked, Whether a person called Kanonga Saba Pilla was not likewise named? he said, Yes, he was, he was recommended by Sir Thomas Rumbold; and one recommendation, as well as I can recollect, went through me.—Being asked, What was the reason of his being recommended? he said, He undertook to pay off the rajah's debts, and to give security for the regular payment of the rajah's instalments to the company.—Being asked, Whether he offered to give any security for preserving the

country

country from oppression, and for supporting the dignity of the rajah and his people? he said, He does not know that he did, or that it was asked of him.—Being asked, Whether he was a person agreeable to the rajah? he said, He was not.—Being asked, Whether he was not a person who had fled out of the country to avoid the resentment of the rajah? he said, He was.——Being asked, Whether he was not charged by the rajah with mal-practices, and breach of trust relative to his effects: he said, He was; but he told the governour that he would account for his conduct, and explain every thing to the satisfaction of the rajah.—Being asked, Whether the rajah did not consider this man as in the interest of his enemies, and particularly of the nabob of Arcot and Mr. Benfield? he said, He does not recollect that he did mention that to him; he remembers to have heard him complain of a transaction betwenn Kenonga Saba Pilla and Mr. Benfield; but he told him he had been guilty of a variety of mal-practices in his administration, that he had oppressed the people, and defrauded him.—Being asked, In what branch of business the rajah had formerly employed him? he said, He was at one time, he believes, renter of the whole country, was supposed to have great influence with the rajah, and was in fact dewan some time.—Being asked, Whether the nomination of that man was not particularly odious to the rajah? he

he said, He found the rajah's mind so exceedingly averse to that man, that he believes he would almost as soon have submitted to his being deposed, as to submit to the nomination of that man to be his prime minister.

13th May.

MR. PETRIE being asked, Whether he was informed by the rajah, or by others, at Tanjore or Madras, that Mr. Benfield, whilst he managed the revenues at Tanjore, during the usurpation of the nabob, did not treat the inhabitants with great rigour? he said, He did hear from the rajah, that Mr. Benfield did treat the inhabitants with rigour during the time he had any thing to do with the administration of the revenues of Tanjore.—Being asked, If he recollects in what particulars? he said, The rajah particularly complained, that grain had been delivered out to the inhabitants, for the purposes of cultivation, at a higher price than the market price of grain in the country; he cannot say the actual difference of price, but it struck him at the time as something very considerable. —Being asked, Whether that money was all recovered from the inhabitants? he said, The rajah of Tanjore told him, that the money was all recovered from the inhabitants.—Being asked, Whether he did not hear that the nabob exacted from the country of Tanjore, whilst he was in possession

possession of it? he said, From the accounts which he received at Tanjore, of the revenues for a number of years past, it appeared, that the nabob collected from the country, while he was in possession, rather more than 16 lacks of pagodas annually; whereas when he was at Tanjore, it did not yield more than 9 lacks.—Being asked, From whence that difference arose? he said, When Tanjore was conquered for the nabob, he has been told that many thousand of the native inhabitants fled from the country, some into the country of Mysore, and others into the dominions of the Marattas; he understood from the same authority, that while the nabob was in possession of the country, many inhabitants from the Carnatick, allured by the superiour fertility and opulence of Tanjore, and encouraged by the nabob, took up their residence there, which enabled the nabob to cultivate the whole country; and, upon the restoration of the rajah, he has heard that the Carnatick inhabitants were carried back to their own country, which left a considerable blank in the population, which was not re-placed while he was there, principally owing to an opinion which prevailed through the country, that the rajah's government was not to be permanent, but that another revolution was fast approaching. During the nabob's government, the price of grain was considerably higher (owing to a very unusual scarcity in the

Carnatick)

Carnatick) than when he was in Tanjore.—Being asked, Whether he was ever in the Marawar country? he said, Yes; he was commissary to the army in that expedition.—Being asked, Whether that country was much wasted by the war? he said, Plunder was not permitted to the army, nor did the country suffer from its operations, except in causing many thousands of the inhabitants who had been employed in the cultivation of the country, to leave it.—Being asked, Whether he knows what is done with the palace and inhabitants of Ramnaut? he said, The town was taken by storm, but not plundered by the troops; it was immediately delivered up to the nabob's eldest son. Being asked, Whether great riches were not supposed to be in that palace and temple? he said, It was universally believed so.—Being asked, What account was given of them? he said, He cannot tell; every thing remained in the possession of the nabob.—Being asked, What became of the children and women of the family of the prince of that country? he said, The rajah was a minor; the government was in the hands of the ranny, his mother; from general report he has heard they were carried to Trichinopoly, and placed in confinement there.—Being asked, Whether he perceived any difference in the face of the Carnatick when he first knew it, and when he last knew it? he said, He thinks he did, particularly in its

population.

population.—Being asked, Whether it was better or worse? he said, It was not so populous.—Being asked, What is the condition of the nabob's eldest son? he said, He was in the Black Town of Madras, when he left the country.—Being asked, Whether he was entertained there in a manner suitable to his birth and expectations? he said, No; he lived there without any of those exterior marks of splendour which princes of his rank in India are particularly fond of.—Being asked, Whether he has not heard that his appointments were poor and mean? he said, He has heard that they were not equal to his rank and expectations. —Being asked, Whether he had any share in the government? he said, He believes none; for some years past the nabob has delegated most of the powers of government to his second son.—Being asked, Whether the rajah did not complain to him of the behaviour of Mr. Benfield to himself personally; and what were the particulars? he said, He did so, and related to him the following particulars: About fifteen days after lord Pigot's confinement, Mr. Benfield came to Tanjore, and delivered the rajah two letters from the then governour, Mr. Stratton, one publick, and the other private; he demanded an immediate account of the presents which had been made to lord Pigot, payment of the tunkahs, which he (Mr. Benfield) had received from the nabob upon the country; and

and that the rajah should only write such letters to the Madras government as Mr. Benfield should approve, and give to him: the rajah answered, that he did not acknowledge the validity of any demands made by the nabob upon the country; that those tankahs related to accounts which he (the rajah) had no concern with; that he never had given lord Pigot any presents, but lord Pigot had given him many; and that, as to his correspondence with the Madras government, he would not trouble Mr. Benfield, because he would write his letters himself.—That the rajah told the witness, that by reason of this answer he was much threatened, in consequence of which he desired colonel Harper, who then commanded at Tanjore, to be present at his next interview with Mr. Benfield; when Mr. Benfield denied many parts of the preceding conversation, and threw the blame upon his interpreter Comroo. When Mr. Benfield found (as the rajah informed him) that he could not carry these points, which had brought him to Tanjore, he prepared to set off for Madras; that the rajah sent him a letter which he had drawn out, in answer to one which Mr. Benfield had brought him; that Mr. Benfield disapproved of the answer, and returned it by Comroo to the durbar, who did not deliver it into the rajah's hands, but threw it upon the ground, and expressed himself improperly to him.

Being

Being asked, Whether it was at the king of Tanjore's desire, that such persons as Mr. Benfield and Comroo had been brought into his presence? he said, The rajah told him, that when lord Pigot came to Tanjore, to restore him to his dominions, Comroo, without being sent for, or desired to come to the palace, had found means to get access to his person; he made an offer of introducing Mr. Benfield to the rajah, which he declined.—Being asked, Whether the military officer commanding there protected the rajah from the intrusion of such people? he said, The rajah did not tell him that he called upon the military officer to prevent these intrusions; but that he desired colonel Harper to be present as a witness to what might pass between him and Mr. Benfield.—Being asked, If it is usual for persons of the conditions and occupations of Mr. Benfield and Comroo to intrude themselves into the presence of the princes of the country, and to treat them with such freedom? he said, Certainly it is not; less there than in any other country.—Being asked, Whether the king of Tanjore has no ministers to whom application might be made to transact such business as Mr. Benfield and Comroo had to do in the country? he said, Undoubtedly; his minister is the person whose province it is to transact that business.—Being asked, Before the invasion of the British troops into Tanjore, what would have

been the consequence, if Mr. Benfield had intruded himself into the rajah's presence, and behaved in that manner? he said, He could not say what would have been the consequence; but the attempt would have been madness, and could not have happened.—Being asked, Whether the rajah had not particular exceptions to Comaroo, and thought he had betrayed him in very essential points? he said, Yes, he had.—Being asked, Whether the rajah has not been apprized that the company have made stipulations, that their servants should not interfere in the concerns of his government? he said, He signified it to the rajah, that it was the company's positive orders, and that any of their servants so interfering would incur their highest displeasure.

APPENDIX, No. 8.

Referred to from p. 290, &c.

Commissioners amended clauses for the Fort St. George dispatch, relative to the indeterminate rights and pretensions of the nabob of Arcot, and rajah of Tanjore.

IN our letter of the 28th January last, we stated the reasonableness of our expectation that certain

contributions

contributions towards the expences of the war, should be made by the rajah of Tanjore. Since writing that letter, we have received one from the rajah, of the 15th of October last, which contains at length his representations of his inability to make such further payment. We think it unnecessary here to discuss whether these representations are or are not exaggerated, because, from the explanations we have given of our wishes for a new arrangement in future, both with the nabob of Arcot, and the rajah of Tanjore, and the directions we have given you to carry that arrangement into execution, we think it impolitick to insist upon any demands upon the rajah for the expences of the late war, beyond the sum of four lacks of pagodas annually; such a demand might tend to interrupt the harmony which should prevail between the company and the rajah, and impede the great objects of the general system we have already so fully explained to you.

But although it is not our opinion that any further claim should be made on the rajah, for his share of the extraordinary expences of the late war, it is by no means our intention in any manner to affect the just claim which the nabob has on the rajah for the arrears due to him on account of peshcush, for the regular payment of which we became guarantee by the treaty of 1762; but we have already expressed to you our hopes that the

nabob

nabob may be induced to allow these arrears and the growing payments, when due, to be received by the company, and carried in discharge of his debt to us. You are at the same time to use every means to convince him, that when this debt shall be discharged, it is our intention, as we are bound by the above treaty, to exert ourselves to the utmost of our power to insure the constant and regular payment of it into his own hands.

We observe, by the plan sent to us by our governour of Fort St. George, on the 30th October, 1781, that an arrangement is there proposed, for the receipt of those arrears from the rajah, in three years.

We are unable to decide how far this proposal may be consistent with the present state of the rajah's resources; but we direct you to use all proper means to bring these arrears to account as soon as possible, consistently with a due attention to this consideration.

Clauses H.

You will observe, that by the 38th section of the late act of parliament, it is enacted, that for settling upon a permanent foundation the present indeterminate rights of the nabob of Arcot and the rajah of Tanjore, with respect to each other, we should take into our immediate consideration the said indeterminate rights and pretensions, and

take and pursue such measures as in our judgment and discretion shall be best calculated to ascertain and settle the same according to the principles, and the terms and stipulations contained in the treaty of 1762, between the said nabob and the said rajah.

On a retrospect of the proceedings transmitted to us from your presidency, on the subject of the disputes which have heretofore arisen between the nabob and the rajah, we find the following points remain unadjusted, viz.

1st. Whether the jaghire of Arnee shall be enjoyed by the nabob, or delivered up either to the rajah, or the descendants of Tremaul Row, the late jaghiredar.

2d. Whether the fort and district of Hanamantagoody, which is admitted by both parties to be within the Marawar, ought to be possessed by the nabob, or to be delivered up by him to the rajah.

3d. To whom the government share of the crop of the Tanjore country, of the year 1775-6, properly belongs.

Lastly, Whether the rajah has a right, by usage and custom, or ought, from the necessity of the case, to be permitted to repair such part of the Anicut, or dam and banks of the Cavery, as lie within the district of Trichinopoly, and to take earth and sand in the Trichinopoly territory, for the

the repairs of the dam and banks within either or both of those districts.

In order to obtain a complete knowledge of the facts and circumstances relative to the several points in dispute, and how far they are connected with the treaty of 1762, we have with great circumspection examined into all the materials before us on these subjects, and will proceed to state to you the result of our inquiries and deliberations.

The objects of the treaty of 1762 appear to be restricted to the arrears of tribute to be paid to the nabob for his past claims, and to the quantum of the rajah's future tribute or peshcush; the cancelling of a certain bond given by the rajah's father to the father of the nabob; the confirmation to the rajah of the districts of Coveladdy and Elangaud, and the restoration of Tremal Row to his jaghire of Arnee, in condescension to the rajah's request, upon certain stipulations, viz. That the fort of Arnee and Doby Gudy should be retained by the nabob; that Tremaul Row should not erect any fortress, walled pagoda, or other strong hold, nor any wall round his dwelling-house, exceeding eight feet high, or two feet thick; and should in all things behave himself with due obedience to the government; and that he should pay yearly, in the month of July, unto

the nabob or his successors, the sum of ten thousand rupees, the rajah thereby becoming the security for Tremaul Row, that he should in all things demean and behave himself accordingly, and pay yearly the stipulated sum.

Upon a review of this treaty, the only point now in dispute, which appears to us to be so immediately connected with it, as to bring it within the strict line of our duty to ascertain and settle, according to the terms and stipulations of the treaty, is that respecting Arnee. For although the other points enumerated may in some respects have a relation to that treaty, yet as they are foreign to the purposes expressed in it, and could not be in the contemplation of the contracting parties at the time of making it, those disputes cannot in our comprehension fall within the line of description of rights and pretensions to be now ascertained and settled by us, according to any of the terms and stipulations of it.

In respect to the jaghire of Arnee, we do not find that our records afford us any satisfactory information by what title the rajah claims it, or what degree of relationship or connection has subsisted between the rajah and the killidar of Arnee, save only that by the treaty of 1762 the former became the surety for Tremaul Row's performance of his engagements specified therein, as the conditions for his restoring to that jaghire; on the death

death of Tremaul Row we perceive that he was succeeded by his widow, and after her death, by his grandson Seneewasarow, both of whom were admitted to the jaghire by the nabob.

From your minutes of consultation of the 31st October, 1770, and the nabob's letter to the president, of the 21st March, 1771, and the two letters from rajah Beerbur, Atchenur Punt (who, we presume, was then the nabob's manager at Arcot) of the 16th and 18th March, referred to in the nabob's letter, and transmitted therewith to the president, we observe that, previous to the treaty of 1762, Mr. Pigot concurred in the expediency of the nabob's taking possession of this jaghire, on account of the troublesome and refractory behaviour of the Arnee braminees, by their affording protection to all disturbers; who, by reason of the little distance between Arnee and Arcot, fled to the former, and were there protected, and not given up, though demanded.

That though the jaghire was restored in 1762, it was done under such conditions and restrictions as it were thought best calculated to preserve the peace and good order of the place, and due obedience to government.

That nevertheless the braminees (quarrelling among themselves) did afterwards, in express violation of the treaty, enlist and assemble many thousand sepoys, and other troops; that they erected

erected gaddies, and other small forts, provided themselves with wall pieces, small guns, and other warlike stores, and raised troubles and disturbances in the neighbourhood of the city of Arcot, and the forts of Arnee, and Shaw Gaddy; and that finally they imprisoned the hicarrahs of the nabob, sent with his letters and instructions, in pursuance of the advice of your board, to require certain of the braminees to repair to the nabob at Chepauk, and though peremptorily required to repair thither, paid no regard to those, or to any other orders from the circar.

By the 13th article contained in the instructions given by the nabob to Mr. Dupré, as the basis for negotiating the treaty made with the rajah in 1771, the nabob required that the Arnee district should be delivered up to the circar, because the braminees had broken the conditions which they were to have observed. In the answers given by the rajah to these propositions, he says, "I am to "give up to the circar the jaghire district of Ar-"nee;" and on the 7th of November, 1771, the rajah, by letter to Seneewesarow, who appears by your consultations and country correspondence to have been the grandson of Tremaul Row, and to have been put in possession of the jaghire at your recommendation (on the death of his grandmother) writes, acquainting him, that he had given the Arnee country then in his (Seneewasarow's) possession,

possession, to the nabob, to whose aumildars Seneewasarow was to deliver up the possession of the country. And in your letter to us of the 28th February, 1772, you certified the district of Arnee to be one of the countries acquired by this treaty, and to be of the estimated value of two lacks of rupees per annum.

In our orders, dated the 12th April, 1775, we declared our determination to replace the rajah upon the throne of his ancestors, upon certain terms and conditions, to be agreed upon for the mutual benefit of himself and the company, without infringing the rights of the nabob. We declared, that our faith stood pledged by the treaty of 1762, to obtain payment of the rajah's tribute to the nabob; and that for the ensuring such payment the fort of Tanjore should be garrisoned by our troops. We directed that you should pay no regard to the article of the treaty of 1771, which respected the alienation of part of the rajah's dominions; and we declared, that if the nabob had not a just title to those territories before the conclusion of the treaty, we denied that he obtained any right thereby, except such temporary sovereignty, for securing the payment of his expences, as is therein mentioned.

These instructions appear to have been executed in the month of April, 1776; and by your letter of the 14th May following, you certified to us, that the

the rajah had been put into the possession of the whole country his father held in 1762, when the treaty was concluded with the nabob; but we do not find that you came to any resolution either antecedent or subsequent to this advice, either for questioning or impeaching the right of the nabob to the sovereignty of Arnee, or expressive of any doubt of his title to it. Nevertheless we find, that although the board passed no such resolution, yet your president, in his letter to the nabob, of the 30th July, and 24th August, called upon his highness to give up the possession of Arnee to the rajah; and the rajah himself, in several letters to us, particularly in those of 21st October, 1776, and the 7th of June, 1777, expressed his expectation of our orders for delivering up that fort and district to him; and so recently as the 15th of October, 1783, he reminds us of his former application, and states, that the country of Arnee being guaranteed to him by the company, it of course is his right; but that it has not been given up to him, and he therefore earnestly entreats our orders for putting him into the possession of it. We also observe by your letter of the 14th of October, 1779, that the rajah had not then accounted for the nabob's peshcush since his restoration, but had assigned as a reason for his withdrawing it, that the nabob had retained from him the district of Arnee, with a certain other district (Hanamantagoody)

goody) which is made the subject of another part of our present dispatches.

We have thus stated to you the result of our enquiry into the grounds of the dispute relative to Arnee; and as the research has offered no evidence in support of the rajah's claim, nor even any lights whereby we can discover in what degree of relationship, by consanguinity, cast, or other circumstances, the rajah now stands, or formerly stood, with the killidar of Arnee, or the nature of his connexion with, or command over, that district, or the authority he exercised or assumed previous to the treaty of 1771, we should think ourselves highly reprehensible in complying with the rajah's request; and the more so, as it is expressly stated, in the treaty of 1762, that this fort and district were then in the possession of the nabob, as well as the person of the jaghiredar, on account of his disobedience, and were restored him by the nabob, in condescension to the rajah's request, upon such terms and stipulations as could not, in our judgment, have been imposed by the one, or submitted to by the other, if the sovereignty of the one, or the dependency of the other, had been at that time a matter of doubt.

Although these materials have not furnished us with evidence in support of the rajah's claim, they are far from satisfactory, to evince the justice of, or the political necessity for, the nabob's continuing

ing to withhold the jaghire from the descendants of Tremaul Row; his hereditary right to that jaghire seems to us to have been fully recognized by the stipulations of the treaty of 1762, and so little doubted, that on his death, his widow was admitted by the nabob to hold it, on account, as may be presumed, of the nonage of his grandson and heir, Seneewasarow, who appears to have been confirmed in the jaghire, on her death, by the nabob, as the lineal heir and successor to his grandfather.

With respect to Seneewasarow, it does not appear, by any of the proceedings in our possession, that he was concerned in the misconduct of the braminees, complained of by the nabob in the year 1770, which rendered it necessary for his highness to take the jaghire into his own hands, or that he was privy to, or could have prevented those disturbances.

We therefore direct, that if the heir of Tremaul Row is not at present in possession of the jaghire, and has not, by any violation of the treaty, or act of disobedience, incurred a forfeiture thereof, he be forthwith restored to the possession of it, according to the terms and stipulations of the treaty of 1762. But if any powerful motive of regard to the peace and tranquillity of the Carnatick shall in your judgment render it expedient to suspend the execution of these orders,

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in that case you are with all convenient speed to transmit to us your proceedings thereupon, with the full state of the facts, and of the reasons which have actuated your conduct.

We have before given it as our opinion that the stipulations of the treaty of 1762 do not apply to the points remaining to be decided. But the late act of parliament having, from the nature of our connection with the two powers of the Carnatick, pointed out the expediency, and even necessity, of settling the several matters in dispute between them, by a speedy and permanent arrangement, we now proceed to give you our instructions upon the several other heads of disputes before enumerated.

With respect to the fort and district of Hanamantagoody, we observe that on the restoration of the rajah in 1776, you informed us in your letter of the 14th of May—"That the rajah had "been put into possession of the whole of the coun-"try his father held in 1762 when the treaty was "concluded with the nabob;" and on the 25th of June you came to the resolution of putting the rajah into possession of Hanamantagoody, on the ground of its appearing on reference to the nabob's instructions to Mr. Dupré in June, 1762, to his reply, and to the rajah's representations of 25th March, 1771; that Hanamantagoody was actually in the hands of the late rajah at the time of

of making the treaty of 1762. We have referred as well to those papers as to all the other proceedings on this subject, and must confess they fall very short of demonstrating to us the truth of that fact. And we find, by the secret consultations of Fort William, of the 7th of August, 1776, that the same doubt was entertained by our governour general and council.

But whether, in point of fact, the late rajah was or was not in possession of Hanamantagoody, in 1762, it is notorious that the nabob had always claimed the dominion of the countries of which this fort and district are a part.

We observe, that the nabob is now in the actual possession of this fort and district; and we are not warranted, by any document we have seen, to concur with the wishes of the rajah to dispossess him.

With regard to the government share of the crop of 1775-6, we observe by the debeer's memorandum, recited in your consultations of the 13th of May, 1776, that it was the established custom of the Tanjore country to gather in the harvest, and complete the collections within the month of March; but that, for the causes therein particularly stated, the harvest (and of course the collection of the government share of the crop) was delayed till the month of March was over. We also observe, that the rajah was not restored to his

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kingdom untill the 11th of April, 1776; and from hence we infer, that if the harvest and collection had been finished at the usual time, the nabob (being then sovereign of the country) would have received the full benefit of that year's crop.

Although the harvest and collection were delayed beyond the usual time, yet we find by the proceedings of your government, and particularly by Mr. Mackay's minute of the 29th of May, 1776, and also by the dobeer's account, that the greatest part of the grain was cut down whilst the nabob remained in the government of the country.

It is difficult, from the contradictory allegations on the subject, to ascertain what was the precise amount of the collections made after the nabob ceased to have the possession of the country. But whatever it was, it appears from general Stuart's letter of the 2d of April, 1777, that it had been asserted with good authority, that the far greater part of the government share of the crop was plundered by individuals, and never came to account in the rajah's treasury.

Under all the circumstances of this case, we must be of opinion, that the government share of the crop of 1776 belonged to the nabob, as the then reigning sovereign of the kingdom of Tanjore, he being *de facto*, in the full and absolute possession of the government thereof, and consequently that the

the assignments made by him of the government share of the crop were valid.

Nevertheless, we would by no means be understood by this opinion to suggest, that any further demands ought to be made upon the rajah, in respect of such part of the government share of the crop as were collected by his people.

For, on the contrary, after so great a length of time as hath elapsed, we should think it highly unjust that the rajah should be now compelled, either to pay the supposed balances, whatever they may be, or be called upon to render a specifick account of the collection made by his people.

The rajah has already, in his letter to governour Stratton, of the 21st of April, 1777, given his assurance, that the produce of the preceding year, accounted for to him, was little more than one lack of pagodas; and as you have acquainted us, by your letter of the 14th of October, 1779, that the rajah has actually paid into our treasury one lack of pagodas, by way of deposit, on account of the nabob's claims to the crop, till our sentiments should be known, we direct you to surcease any further demands from the rajah on that account.

We learn by the proceedings, and particularly by the nabob's letter to lord Pigot, of the 6th of July, 1776, that the nabob previous to the restoration of the rajah, actually made assignments, or granted

granted tuncaws of the whole of his share of the crop to his creditors and troops; and that your government (entertaining the same opinion as we do upon the question of right to that share) by letter to the rajah of the 20th of August, 1776, recommended to him "to restore to Mr. Benfield "(one of the principal assignees or tuncaw-holders "of the nabob) the grain of the last year, which "was in possession of his people, and said to be "forcibly taken from them; and further, to give "Mr. Benfield all reasonable assistance in recover-"ing such debts as should appear to have been "justly due to him from the inhabitants; and ac-"quainted the rajah, that it had been judged by "a majority of the council, that it was the com-"pany's intention to let the nabob have the pro-"duce of the crop of 1776, but that you had no "intention that the rajah should be accountable "for more than the government share, whatever "that might be; and that you did not mean to "do more than recommend to him to see justice "done, leaving the manner and time to himself." Subsequent representations appear to have been made to the rajah by your government on the same subject, in favour of the nabob's mortgages.

In answer to these applications, the rajah, in his letter to Mr. Stratton, of the 12th January, 1777, acquainted you, "that he had given orders re-

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"specting the grain which Mr. Benfield had heaped "up in his country; and with regard to the "money due to him by the farmers, that he had "desired Mr. Benfield to bring accounts of it, that "he might limit a time for the payment of it, "proportionably to their ability, and that the ne-"cessary orders for stopping this money out of "the inhabitants share of the crop, had been sent "to the ryots and aumildars; that Mr. Benfield's "gomastah was then present there, and oversaw "his affairs; and that in every thing that was just "he (the rajah) willingly obeyed our governour "and council."

Our opinion being, that the rajah ought to be answerable for no more than the amount of what he admits was collected by his people for the government share of the crop; and the proceedings before us not sufficiently explaining whether, in the sum which the rajah, by his before-mentioned letter of the 21st April, 1777, admits to have collected, are included those parts of the government share of the crop which were taken by his people from Mr. Benfield, or from any other of the assignees, or tuncaw-holders; and uninformed as we also are, what compensation the rajah has or has not made to Mr. Benfield, or any other of the parties from whom the grain was taken by the rajah's people; or whether, by means of the rajah's refusal so to do, or from any other circumstance,

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any of the persons dispossessed of their grain, may have had recourse to the nabob for satisfaction; we are, for these reasons, incompetent to form a proper judgment what disposition ought in justice to be made of the one lack of pagodas deposited by the rajah. But as our sentiments and intentions are so fully expressed upon the whole subject, we presume you, who are upon the spot, can have no doubt or difficulty in making such an application of the deposit as will be consistent with those principles of justice whereon our sentiments are founded. But should any such difficulty suggest itself, you will suspend any application of the deposit, until you have fully explained the same to us, and have received our further orders.

With respect to the repairs of the Anicut and banks of the Cavery, we have upon various occasions fully expressed to you our sentiments, and in particular, in our general letter of the 4th July, 1777, we referred you to the investigation and correspondence on that subject of the year 1764, and to the report made by Mr. James Bourchier, on his personal survey of the waters, and to several letters of the year 1765 and 1767; he also, by our said general letter, acquainted you, that it appeared to us perfectly reasonable that the rajah should be permitted to repair those banks, and the Anicut, in the same manner as had been practised in times past; and we directed you to establish

such regulations, by reference to former usage, for keeping the said banks in repair, as would be effectual, and remove all cause of complaint in future.

Notwithstanding such our instructions, the rajah, in his letter to us of the 15th October, 1783, complains of the destruction of the Anicut; and as the cultivation of the Tanjore country appears, by all the surveys and reports of our engineers employed on that service, to depend altogether on a supply of water by the Cavery, which can only be secured by keeping the Anicut and banks in repair, we think it necessary to repeat to you our orders of the 4th July 1777, on the subject of those repairs.

And further, as it appears, by the survey and report of Mr. Pringle, that these repairs are attended with a much heavier expence when done with materials taken from the Tanjore district, than with those of Trichinopoly, and that the last mentioned materials are far preferable to the other, it is our order, that if any occurrences should make it necessary or expedient, you apply to the nabob in our name, to desire that his highness will permit proper spots of ground to be set out, and bounded by proper marks on the Trichinopoly side, where the rajah and his people may at all times take sand and earth sufficient for these repairs; and that his highness will grant his lease of such spots of land

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for a certain term of years to the company, at a reasonable annual rent, to the intent that through you the cultivation of the Tanjore country may be secured, without infringing or impairing the rights of the nabob.

If any attempts have been, or shall be hereafter made to divert the water from the Cavery into the Coleroon, by contracting the current of the Upper or Lower Cavery, by planting long grass, as mentioned in Mr. Pringle's report, or by any other means, we have no doubt his highness, on a proper representation to him in our name, will prevent his people from taking any measures detrimental to the Tanjore country, in the prosperity of which his highness, as well as the company, is materially interested.

Should you succeed in reconciling the nabob to this measure, we think it but just, that the proposed lease shall remain no longer in force than whilst the rajah shall be punctual in the payment of the annual peshcush to the nabob, as well as the rent to be reserved for the spots of ground. And in order effectually to remove all future occasions of jealousy and complaint between the parties, that the rajah on the one hand may be satisfied that all necessary works for the cultivation of his country will be made and kept in repair; and that the nabob on the other hand may be satisfied that no encroachment on his rights can be made, nor

any works detrimental to the fertility of his country erected; we think it proper that it should be recommended to the parties, as a part of the adjustment of this very important point, that skilful engineers, appointed by the company, be employed at the rajah's expence to conduct all the necessary works, with the strictest attention to the respective rights and interests of both parties. This will remove every probability of injury or dispute; but should either party unexpectedly conceive themselves to be injured, immediate redress might be obtained by application to the government of Madras, under whose appointment the engineer will act, without any discussion between the parties, which might disturb that harmony which it is so much the wish of the company to establish and preserve, as essential to the prosperity and peace of the Carnatick.

Having now, in obedience to the directions of the act of parliament, upon the fullest consideration of the indeterminate rights and pretensions of the nabob and rajah, pointed out such measures and arrangements as in our judgment and discretion will be best calculated to ascertain and settle the same, we hope, that upon a candid consideration of the whole system, although each of the parties may feel disappointed in our decision on particular points, they will be convinced that we have been guided in our investigation by principles

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of strict justice and impartiality, and that the most anxious attention has been paid to the substantial interests of both parties, and such a general and comprehensive plan of arrangement proposed, as will most effectually prevent all future dissatisfaction.

Approved by the board.

HENRY DUNDAS,
WALSINGHAM,
W. W. GRENVILLE,
MULGRAVE.

Whitehall,
October 27, 1784.

APPENDIX, No. 9.

Referred to from p. 279 and 287.

Extract of a letter from the Court of Directors, to the President and Council of Fort St. George, as amended and approved by the Board of Control.

We have taken into our consideration the several advices and papers received from India, relative to the assignment of the revenues of the Carnatick, from the conclusion of the Bengal treaty to the date of your letter in October 1783, together

together with the representations of the nabob of the Carnatick upon that subject; and although we might contend, that the agreement should subsist till we are fully reimbursed his highness's proportion of the expences of the war, yet from a principle of moderation and personal attachment to our old ally, his highness the nabob of the Carnatick, for whose dignity and happiness we are ever solicitous, and to cement more strongly, if possible, that mutual harmony and confidence which our connection makes so essentially necessary for our reciprocal safety and welfare, *and for removing from his mind every idea of secret design on our part to lesson his authority over the internal government of the Carnatick*, and the collection and administration of its revenues, we have resolved that the assignment shall be surrendered; and we do accordingly direct our president, in whose name the assignment was taken, *without delay*, to surrender the same to his highness. But while we have adopted this resolution, we repose entire confidence in his highness, that, actuated by the same motives of liberality, and feelings of old friendship and alliance, he will chearfully and instantly accede to such arrangements as are necessary to be adopted for our common safety, and for preserving the respect, rights, and interests we enjoy in the Carnatick. The following are the heads and principles of such an arrangement as we are decisively

sively of opinion must be adopted for these purposes, viz.

That for making a provision for discharging the nabob's just debts to the company and individuals (for the payment of which his highness has so frequently expressed the greatest solicitude) the *nabob shall give soucar security for the punctual payment, by instalments*, into the company's treasury, of twelve lacks of pagodas per annum (as voluntarily proposed by his higness) until those debts, with interest, shall be discharged; and shall also consent that the equitable provision lately made by the British legislature for the liquidation of those debts, *and such resolutions and determinations* as we shall *hereafter make*, under the authority of that provision for the liquidation and adjustment of the said debts, *bonâ fide* incurred, shall be carried into full force and effect.

Should any difficulty arise between his highness and our government of Fort St. George, in respect to the *responsibility of the soucar security*, or the times and terms of the instalments, it is our pleasure that you pay obedience to the orders and resolutions of our governour general and council of Bengal in respect thereto, not doubting but the nabob will in such case consent to abide by the determination of our said supreme government.

Although from the great confidence we repose in the honour and integrity of the nabob, and from

from an earnest desire not to subject him to any embarrassment on this occasion, we have not proposed any specific assignment of territory or revenue for securing the payments aforesaid, we nevertheless think it our duty, as well to the private creditors, whose interests in this respect have been so solemnly intrusted to us by the late act of parliament, as from regard to the debt due to the company, to insist on a declaration that in the event of the failure of the security proposed, or in default of payment at the stipulated periods, we reserve to ourselves full right to demand of the nabob such *additional security*, by assignment on his country, as shall be effectual for answering the purposes of the agreement.

After having conciliated the mind of the nabob to this measure, and adjusted the particulars, you are to carry the same into execution by a formal deed between his highness and the company, according to the tenour of these instructions.

As the administration of the British interests and connections in India has in some respects assumed a new shape by the late act of parliament, and a general peace in India has been happily accomplished, the present appears to us to be the proper period, and which cannot without great imprudence be omitted, to settle and arrange, by a just and equitable treaty, a plan for the future defence and protection of the Carnatick, both in time

time of peace and war, on a solid and lasting foundation.

For the accomplishment of this great and necessary object, we direct you, in the name of the company, to use your utmost endeavours to impress the expediency of, and the good effects to be derived from, this measure, so strongly upon the minds of the nabob and the rajah of Tanjore, as to prevail upon them, jointly or separately, to enter into one or more treaty or treaties with the company, grounded on this principle of equity, That all the contracting parties shall be bound to contribute jointly to the support of the military force and garrisons, as well in peace as in war.

That the military peace establishment shall be forthwith settled and adjusted by the company, in pursuance of the authority and directions given to to them by the late act of parliament.

As the payment of the troops and garrisons, occasional expences in the repairs and improvements of fortifications, and other services incidental to a military establishment, must of necessity be punctual and accurate, no latitude of personal assurance or reciprocal confidence of either of the parties on the other, must be accepted or required; but the nabob and rajah must of necessity specify particular districts and revenues for securing the due and regular payment of their contributions into the treasury of the company, with whom the charge of

of the defence of the coast, and of course the power of the sword, must be exclusively intrusted, with power for the company, in case of failure or default of such payments, at the stipulated times and seasons, to enter upon and possess such districts, and to let the same to renters, to be confirmed by the nabob and the rajah respectively; but trusting that in the execution of this part of the arrangement no undue obstruction will be given by either of those powers, we direct, that this part of the treaty be coupled with a most positive assurance, on our part, of our determination to support the dignity and authority of the nabob and rajah, in the exclusive administration of their civil government, and revenues of their respective countries; and further, that in case of *any* hostility committed against the territories of either of the contracting parties on the coast of Coromandel, the whole revenues of their respective territories shall be considered as one common stock, to be appropriated in the common cause of their defence—That the company on their part shall engage to refrain, *during the war*, from the application of any part of their revenues to any commercial purposes whatsoever, but apply the whole, save only the ordinary charges of their civil government, to the purposes of the war—That the nabob and the rajah shall in like manner engage on their parts to refrain, during the war, from

from the application of any part of their revenues, save only what shall be actually necessary for the support of themselves, and the civil government of their respective countries, to any other purposes than that of defraying the expences of such military operations as the company may find it necessary to carry on for the common safety of their interests on the coast of Coromandel.

And to obviate any difficulties or misunderstanding which might arise from leaving indeterminate the sum necessary to be appropriated for the civil establishment of each of the respective powers, that the sum be now ascertained which is indispensably necessary to be applied to those purposes, and which is to be held sacred under every emergency, and set apart previous to the application of the rest of the revenues, as hereby stipulated, for the purposes of mutual or common defence against any enemy, for *clearing* the incumbrance which may have become necessarily incurred in addition to the expenditure of those revenues *which must be always deemed part of the war establishment.* This we think absolutely necessary, as nothing can tend so much to the preservation of peace, and to prevent the renewal of hostilities, as the early putting the finances of the several powers upon a clear footing; and the shewing to all other powers, that the company, the nabob, and the rajah, are firmly united in one common cause, and combined

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in one system of permanent and vigorous defence, for the preservation of their respective territories, and the general tranquillity.

That the whole aggregate revenue of the contracting parties shall, during the war, be under the application of the company, and shall continue as long after the war *as shall be necessary, to discharge the burthens contracted by it;* but it must be declared, that this provision shall in no respect extend to deprive either the nabob or the rajah of the substantial authority necessary to the collection of the revenues of their respective countries. But it is meant that they shall faithfully perform the conditions of this arrangement; and if a division of any part of the revenues, to any other than the stipulated purposes, shall take place, the company shall be entitled to take upon themselves the collection of the revenue.

The company are to engage, during the time they shall administer the revenues, to produce to the other contracting parties regular accounts of the application thereof to the purposes stipulated by the treaty, and faithfully apply them in support of the war.

And lastly, as the defence of the Carnatick is thus to rest with the company, the nabob shall be satisfied of the propriety of avoiding all unnecessary expence, and will therefore agree not to maintain a greater number of troops than shall be necessary

cessary for the support of his dignity, and the splendour of the durbar, which number shall be specified in the treaty; and if any military aid is requisite for the security and collection of his revenues, other than the fixed establishment employed to enforce the ordinary collections, and preserve the police of the country, the company must be bound to furnish him with such aid: the rajah of Tanjore must likewise become bound by similar engagements, and be entitled to similar aid.

As, in virtue of the powers vested in lord Macartney, by the agreement of December, 1781, sundry leases, of various periods, have been granted to renters, we direct, that you apply to the nabob, in our name, for his consent, that they may be *permitted* to hold their leases to the end of the stipulated term; and we have great reliance * on the liberality and spirit of accommodation manifested by the nabob on so many occasions, that he will be disposed to acquiesce in a proposition so *just and reasonable;* but if, contrary to our expectations, his highness should be impressed with any particular aversion to comply with this proposition, we do not desire you to insist upon it as an essential part of the arrangement to take place between us; but in that event you must take espe-

* For the ground of this "great reliance," see the papers in this Appendix, No. 5.; as also the nabob's letters to the court of directors in this Appendix, No. 10.

cial

cial care to give such indemnification to the renters for any loss they may sustain, as you judge to be reasonable.

It equally concerns the honour of our government, that such natives as may have been put in any degree of authority over the collections, in consequence of the deed of assignment, and who have proved faithful to their trust, shall not suffer inconvenience on account of their fidelity.

Having thus given our sentiments at large, as well for the surrender of the assignment, as with regard to those arrangements which we think necessary to adopt in consequence thereof, we cannot dismiss this subject without expressing our highest approbation of the *ability, moderation, and command of temper*, with which our president at Madras has conducted himself in the management of a very delicate and embarrassing situation. His conduct, and that of the select committee of Fort St. George, in the execution of the trust delegated to lord Macartney, by the nabob Mahomed Ally, has been vigorous and effectual, for the purpose of realizing as great a revenue, at a crisis of necessity, as the nature of the case admitted; and the imputation of corruption, suggested in some of the proceedings, appears to be totally groundless and unwarranted.

While we find so much to applaud, it is with regret we are induced to advert to any thing which

which may appear worthy of blame, as the step of issuing the Torana Chits in lord Macartney's own name can only be justified upon the ground of absolute necessity*; and as his lordship had every reason to believe that the demand, when made, would be irksome and disagreeable to the feelings of Mahomed Ally, every precaution ought to have been used, and more time allowed, for proving that necessity, by previous acts of address, civility, and conciliation, applied for the purposes of obtaining his authority to such a measure. It appears to us, that more of this might have been used; and therefore we cannot consider the omission of it as blameless, consistent with our wishes of sanctifying no act contrary to the spirit of the agreement, or derogatory to the authority of the nabob of the Carnatick, in the exercise of any of

* For the full proof of this necessity, lord Macartney's whole correspondence on the subject may be referred to. Without the act here condemned, not one of the acts commended in the preceding paragraph could be performed. By referring to the nabob's letters in this Appendix it will be seen what sort of task a governour has on his hands, who is to use, according to the direction of this letter, "acts of address, civility, and conciliation, and to pay, upon *all* occasions, the *highest attention* to persons, who at the very time are falsely, and in the grossest terms, accusing him of peculation, corruption, treason, and every species of malversation in office. The recommedation, under menaces of such behaviour, and under such circumstances, conveys a lesson, the tendency of which cannot be misunderstood.

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his just rights, in the government of the people under his authority.

We likewise observe, the nabob has complained that no official communication was made to him of the peace, for near a month after the cessation of arms took place. This, and every other mark of disrespect to the nabob, will ever appear highly reprehensible in our eyes; and we direct that you do, upon all occasions, pay the highest attention to him and his family.

Lord Macartney, in his minute of the 9th of September last, has been fully under our consideration: we shall ever applaud the prudence and foresight of our servants, which induces them to collect and communicate to us, every opinion, or even ground of suspicion, they may entertain, relative to any of the powers in India, with whose conduct our interest, and the safety of our settlements, is essentially connected. At the same time we earnestly recommend, that those opinions and speculations be communicated to us with prudence, discretion, and all possible secrecy; *and the terms in which they are conveyed be expressed in a manner as little offensive as possible to the powers whom they may concern, and into whose hands they may fall**.

We

* The delicacy here recommended in the *expressions* concerning conduct "with which the safety of our settlements is "essentially connected," is a lesson of the same nature with the

We next proceed to give you our sentiments respecting the private debts of the nabob; *and we cannot but acknowledge*, that the origin and justice, both of the loan of 1767, and the loan of 1777, commonly called the cavalry loan, appear to us clear and indisputable, agreeable to the true sense and spirit of the late act of parliament.

In speaking of the loan of 1767, we are to be understood as speaking of the debt as constituted by the original bonds of that year, bearing interest at 10*l.* per cent.; and therefore, if any of the nabob's creditors, under a pretence that their debts made part of the consolidated debt of 1767, although secured by bonds of a subsequent date, carrying an interest exceeding 10*l.* per cent. shall claim the benefit of the following orders, we direct that you pay no regard to such claims, without further especial instructions for that purpose.

With respect to the consolidated debt of 1777, it certainly stands upon a less favourable footing.

the former. Dangerous designs, if truly such, ought to be expressed according to their nature and qualities; and as for the *secrecy* recommended concerning the designs here alluded to, nothing can be more absurd, as they appear very fully and directly in the papers published by the authority of the court of directors in 1775, and may be easily discerned from the propositions for the Bengal treaty, published in the Reports of the Committee of Secrecy, and in the Reports of the Select Committee. The keeping of such secrets too long has been one cause of the Carnatick war, and of the ruin of our affairs in India.

So early as the 27th March, 1769, it was ordered by our then president and council of Fort St. George, that for the preventing all persons living under the company's protection from having any dealings with any of the country powers, or their ministers, without the knowledge or consent of the board, an advertisement should be published, by fixing it up at the sea-gate, and sending round a copy to the company's servants and inhabitants, and to the different subordinates, and our garrisons, and giving it out in general orders; stating therein, that the president and council did consider the irreversible order of the court of directors of the year 1714 (whereby their people were prohibited from having any dealings with the country governments in money matters) to be in full force and vigour; and thereby expressly forbidding all servants of the company, and other Europeans under their jurisdiction, to make loans, or have any money transactions with any of the princes or states in India, without special licence and permission of the president and council for ths time being, except only in the particular cases there mentioned; and declaring, that any wilful deviation therefrom should be deemed a breach of orders, and treated as such. And on the 4th of March 1778, it was resolved by our president and council of Fort St. George, that the consolidated debt of 1777 was not, on any respect whatever, conducted

conducted under the auspices or protection of that government; and on the circumstance of the consolidation of the said debt being made known to us, we did, on the 23d of December, 1778, write to you in the following terms: "Your account "of the nabob's private debts is very alarming; "but from whatever cause or causes those debts "have been contracted or increased, we hereby "repeat our orders, that the sanction of the com- "pany be on no account given to any kind of se- "curity for the payment or liquidation of any "part thereof (except by the express authority of "the court of directors) on any account or pre- "tence whatever."

The loan of 1777, therefore, has no sanction or authority from us; and in considering the situation and circumstances of this loan, we cannot omit to observe, that the creditors could not be ignorant how greatly the affairs of the nabob were at that time deranged, and that his debt to the company was then very considerable; the payment of which the parties took the most effectual means to postpone, by procuring an assignment of such specific revenues, for the discharge of their own debts, as alone could have enabled the nabob to have discharged that of the company.

Under all these circumstances, we should be warranted to refuse our aid or protection in the recovery of this loan; but when we consider the

inexpediency of keeping the subject of the nabob's debts longer afloat than is absolutely necessary; when we consider how much the final conclusion of this business will tend to promote tranquillity, credit, and circulation of property in the Carnatick; and when we consider that the debtor concurs with the creditor in establishing the justice of those debts consolidated in 1777 into gross sums, for which bonds were given, liable to be transferred to persons different from the original creditors, and having no share or knowledge of the transactions in which the debts originated, and of course how little ground there is to expect any substantial good to result from an unlimited investigation into them, we have resolved so far to recognise the justice of those debts, as to extend to them that protection which, upon *more* forcible grounds, we have seen cause to allow to the other two classes of debts. But, although we so far adopt the general presumption in their favour, as to admit them to a participation in the manner hereafter directed, we do not mean to debar you from receiving any complaints against those debts of 1777, at the instance either of the nabob himself, or of other creditors injured by their being so admitted, or by any other persons having a proper interest, or stating reasonable grounds of objection; and if any complaints are offered, we order that the grounds of all such be attentively examined by

you,

you, and be transmitted to us, together with the evidence adduced in support of them, for our final decision; and as we have before directed, that the sum of twelve lacks of pagodas, to be received annually from the nabob, should be paid into our treasury, it is our order that the same be distributed according to the following arrangement.

That the debt be made up in the following manner, viz.

The debt consolidated in 1767 to be made up to the end of the year 1784, with the current interest at ten per cent.

The cavalry loan to be made up to the same period, with the current interest at twelve per cent.

The debt consolidated in 1777 to be made up to the same period, with the current interest at twelve per cent. to November, 1781, and from thence with the current interest at six per cent.

The twelve lacks annually to be received, are then to be applied,

1. To the growing interest on the cavalry loan, at twelve per cent.

2. To the growing interest on the debt of 1777, at six per cent.

The remainder to be equally divided; one half to be applied to the extinction of the company's debt, the other half to be applied to the payment of growing interest at 10*l.* per cent. and towards the discharge of the principal of the debt of 1767.

This arrangement to continue till the principal of the debt 1767 is discharged.

The application of the twelve lacks is then to be,

1. To the interest of the debt 1777, as above. The remainder to be then equally divided; one half towards the discharge of the current interest and principal of the cavalry loan, and the other half towards the discharge of the company's debt.

When the cavalry loan shall be thus discharged, there shall then be paid, towards the discharge of the company's debt, seven lacks.

To the growing interest and capital of the 1777 loan, five lacks.

When the company's debt shall be discharged, the whole is then to be applied in discharge of the debt 1777.

If the nabob shall be prevailed upon to apply the arrears and growing payments of the Tanjore peshcush in further discharge of his debts, over and above the twelve lacks of pagodas, we direct that the whole of that payment, when made, shall be applied towards the reduction of the company's debt.

We have laid down these general rules of distribution, as appearing to us founded on justice, and the relative circumstances of the different debts; and therefore we give our authority and protection to them only on the supposition that they who ask our protection acquiesce in the condition

dition upon which it is given; and therefore we expressly order, that if any creditor of the nabob, a servant of the company, or being under our protection, shall refuse to express his acquiescence in these arrangements, he shall not only be excluded from receiving any share of the fund under your distribution, but shall be prohibited from taking any separate measures to recover his debt from the nabob, it being one great inducement to our adopting this arrangement, that the nabob shall be relieved from all further disquietude by the importunities of his individual creditors, and be left at liberty to pursue those measures for the prosperity of his country, which the embarrassments of his situation have hitherto deprived him of the means of exerting. And we further direct, that if any creditor shall be found refractory, or disposed to disturb the arrangement we have suggested, he shall be dismissed the service, and sent home to England.

The directions we have given only apply to the three classes of debts which have come under our observation. It has been surmised, that the nabob has of late contracted further debts; if any of these are due to British subjects, we forbid any countenance or protection whatever to be given to them, until the debt is fully investigated, the nature of it reported home, and our special instructions upon it received.

We

We cannot conclude this subject, without adverting in the strongest terms to the prohibitions which have from time to time issued under the authority of different courts of directors against any of our servants, or of those under our protection, having any money transactions with any of the country powers, without the knowledge and previous consent of our respective governments abroad; we are happy to find that the nabob, sensible of the great embarrassments both to his own and the company's affairs, which the enormous amount of their private claims have occasioned, is willing to engage not to incur any new debts with individuals, and we think little difficulty will be found in persuading his highness into a positive stipulation for that purpose; and though the legislature has thus humanely interfered in behalf of such individuals as might otherwise have been reduced to great distress by the past transactions, we hereby, in the most pointed and positive terms, repeat our prohibition upon this subject; and direct that no person, being a servant of the company, or being under our protection, shall, on any pretence whatever, be concerned in any loan or other money transaction with any of the country powers, unless with the knowledge and express permission of our respective governments. And if any of our servants, or others being under our protection, shall be discovered in any respect counteracting

teracting these orders, we strictly enjoin you to take the first opportunity of sending them home to England, to be punished as guilty of disobedience of orders, and no protection or assistance of the company shall be given for the recovery of any loans connected with such transactions. Your particular attention to this subject is strictly enjoined; and any connivance on your parts, to a breach of our orders upon it, will incur our highest displeasure.

In order to put an end to those intrigues, which have been so successfully carried on at the nabob's durbar, we repeat our prohibition in the strongest terms respecting any intercourse between British subjects and the nabob and his family, as we are convinced that such an intercourse has been carried on greatly to the detriment and expence of the nabob, and merely to the advantage of individuals. We therefore direct, that all persons who shall offend against the letter and spirit of this necessary order, whether in the company's service, or under their protection, be forthwith sent to England.

Approved by the Board.

HENRY DUNDAS,
WALSINGHAM,
W. W. GRENVILLE,
MULGRAVE.

Whitehall,
15th Oct. 1784.

Extract

Extract from the Representation of the Court of Directors of the East India Company.

My Lords and Gentlemen.

IT is with extreme concern that we express a difference of opinion with your right honourable board, in this early exercise of your controlling power; but in so novel an institution, it can scarce be thought extraordinary, if the exact boundaries of our respective functions and duties should not at once, on either side, be precisely and familiarly understood, and therefore confide in your justice and candour for believing that we have no wish to invade or frustrate the salutary purposes of your institution, as we on our part are thoroughly satisfied that you have no wish to encroach on the legal powers of the East India company: we shall proceed to state our objections to such of the amendments as appear to us to be either insufficient, inexpedient, or unwarranted.

6th. Concerning the private Debts of the Nabob of Arcot, and the Application of the Fund of twelve Lacks of Pagodas per Annum.

Under this head you are pleased, in lieu of our paragraphs, to substantiate at once the justice of all those demands which the act requires us to investigate, subject only to a right reserved to the nabob,

nabob, or any other party concerned, to question the justice of any debt falling within the last of the three classes; we submit, that at least the opportunity of questioning, within the limited time, the justice of any of the debts, ought to have been fully preserved; and supposing the first and second classes to stand free from imputation (as we incline to believe they do) no injury can result to individuals from such discussion: and we further submit to your consideration, how far the express direction of the act to examine the nature and origin of the debts has been, by the amended paragraphs, complied with; and whether at least the rate of interest, according to which the debts arising from soucar assignment of the land revenues to the servants of the company, acting in the capacity of native bankers, have been accumulated, ought not to be inquired into, as well as the reasonableness of the deduction of 25 per cent. which the Bengal government directed to be made from a great part of the debts on certain conditions. But to your appropriation of the fund, our duty requires that we should state our strongest dissent. Our right to be paid the arrears of those expences, by which, almost to our own ruin, we have preserved the country, and all the property connected with it, from falling a prey to a foreign conqueror, surely stands paramount to all claims for former debts upon the revenues of a country so preserved,

preserved, even if the legislature had not expressly limited the assistance to be given the private creditors to be such as should be consistent with our own rights. The nabob had, long before passing the act, by treaty with our Bengal government, agreed to pay us seven lacks of pagodas, as part of the twelve lacks, in liquidation of those arrears, of which seven lacks the arrangement you have been pleased to lay down would take away from us more than the half, and give it to private creditors, of whose demands there are only about a sixth part which do not stand in a predicament that you declare would not entitle them to any aid or protection from us in the recovery thereof, were it not upon grounds of expediency, as will more particularly appear by the annexed estimate. Until our debt shall be discharged, we can by no means consent to give up any part of the seven lacks to the private creditors; and we humbly apprehend, that in this declaration we do not exceed the limits of the authority and rights vested in us.

The

The Right honourable the Commissioners for the Affairs of India.

The REPRESENTATION of the Court of Directors of the East India Company.

My Lords and Gentlemen,

THE court having duly attended to your reasonings and decisions, on the subjects of Arnee and Hanamantagoody, beg leave to observe, with due deference to your judgement, that the directions we had given in these paragraphs, which did not obtain your approbation, still appear to us to have been consistent with justice, and agreeable to the late act of parliament, which pointed out to us, as we apprehended, the treaty of 1762 as our guide.

Signed by order of the said court,

THO. MORTON, Sec.

East India House,
the 3d November, 1784.

Extract

Extract of a Letter from the Commissioners for the Affairs of India, to the Court of Directors, dated 3d November, 1784, in Answer to their Remonstrance.

Sixth Article.

WE think it proper, considering the particular nature of the subject, to state to you the following remarks on that part of your representation which relates to the plan for the discharging of the nabob's debts.

1st. You compute the revenue which the Carnatick may be expected to produce only at twenty lacks of pagodas. If we concurred with you in this opinion, we should certainly feel our hopes of advantage to all the parties from this arrangement considerably diminished. But we trust, that we are not too sanguine on this head, when we place the greatest reliance on the estimate transmitted to you by your president of Fort St. George, having there the best means of information upon the fact, and stating it with a particular view to the subject matter of these paragraphs. Some allowance, we are sensible, must be made for the difference of collection in the nabob's hands, but we trust not such as to reduce the receipt nearly to what you suppose.

2dly.

2dly. In making up the amount of the private debts, you take in compound interests at the different rates specified in our paragraph. This it was not our intention to allow; and lest any misconception should arise on the spot, we have added an express direction, that the debts be made up with simple interest only, from the time of their respective consolidation. Clause Ff.

3dly. We have also the strongest grounds to believe, that the debts will be, in other respects, considerably less than they are now computed by you; and consequently, the company's annual proportion of the twelve lacks will be larger than it appears on your estimate. But even on your own statement of it, if we add to the 150,000*l.* or 3,75,000 pagodas (which you take as the annual proportion to be received by the company for five years to the end of 1789) the annual amount of the Tanjore peshcush for the same period, and the arrears on the peshcush (proposed by Lord Macartney to be received in three years); the whole will make a sum not falling very short of pagodas 35,00,000, the amount of pagodas 7,00,000 *per annum* for the same period. And if we carry our calculations farther, it will appear that, both by the plan proposed by the nabob, and adopted in your paragraphs, and by that which we transmitted to you, the debt from the nabob, if taken at 3,000,000*l.* will be discharged nearly at the same

same period, viz. in the course of the eleventh year. We cannot therefore be of opinion that there is the smallest ground for objecting to this arrangement, as injurious to the interests of the company, even if the measure were to be considered on the mere ground of expediency, and with a view only to the wisdom of re-establishing credit and circulation in a commercial settlement, without any consideration of those motives of attention to the feelings and honour of the nabob, of humanity to individuals, and of justice to persons in your service, and living under your protection, which have actuated the legislature, and which afford not only justifiable, but commendable grounds for your conduct.

Impressed with this conviction, we have not made any alteration in the general outlines of the arrangement which we had before transmitted to you. But, as the amount of the nabob's revenue is matter of uncertain conjecture, and as it does not appear just to us, that any deficiency should fall wholly on any one class of these debts, we have added a direction to your government of Fort St. George, that if, notwithstanding the provisions contained in our former paragraphs, any deficiency should arise, the payments of what shall be received shall be made in the same proportion which would have obtained in the division of the whole twelve lacks, had they been paid.

APPENDIX,

APPENDIX, No. 10.

Referred to from p. 309.

[THE following extracts are subjoined, to shew the matter and the style of representation employed by those who have obtained that ascendancy over the nabob of Arcot, which is described in the letter marked No. 6. of the present Appendix, and which is so totally destructive of the authority and credit of the lawful British government at Madras. The charges made by these persons have been solemnly denied by Lord Macartney; and, to judge from the character of the parties accused and accusing, they are probably void of all foundation. But as the letters are in the name and under the signature of a person of great rank and consequence among the natives; as they contain matter of the most serious nature; as they charge the most enormous crimes, and corruptions of the grossest kind, on a British governour; and as they refer to the nabob's minister in Great Britain for proof and further elucidation of the matters complained of, common decency, and common policy, demanded an inquiry into their truth or falshood. The writing is obviously the product of some English pen. If, on inquiry, these charges should be made good

(a thing very unlikely) the party accused would become a just object of animadversion. If they should be found (as in all probability they would be found) false and calumnious, and supported by *forgery*, then the censure would fall on the accuser; at the same time the necessity would be manifest for proper measures towards the security of government against such infamous accusations. It is as necessary to protect the honest fame of virtuous governours, as it is to punish the corrupt and tyrannical. But neither the court of directors nor the board of control have made any inquiry into the truth or falsehood of these charges. They have covered over the accusers and accused with abundance of compliments. They have insinuated some oblique censures; and they have recommended perfect harmony between the chargers of corruption and peculation, and the persons charged with these crimes.]

13th October, 1782. Extract of a translation of a letter from the nabob of Arcot to the chairman of the court of directors of the East India company.

" FATALLY for me, and for the publick interest, the company's favour and my unbounded confidence have been lavished on a man totally unfit for the exalted station in which he has been

placed

placed, and unworthy of the trusts that have been reposed in him. When I speak of one who has so deeply stabbed my honour, my wounds bleed afresh, and I must be allowed that freedom of expression which the galling reflection of my injuries and my misfortunes naturally draws from me. Shall your servants, unchecked, unrestrained, and unpunished, gratify their private views and ambition, at the expence of my honour, my peace, and my happiness, and to the ruin of my country, as well as of all your affairs? No sooner had lord Macartney obtained the favourite object of his ambition, than he betrayed the greatest insolence towards me, the most glaring neglect of the common civilities and attentions paid me by all former governours, in the worst of times, and even by the most inveterate of my enemies. He insulted my servants, endeavoured to defame my character by unjusly censuring my administration, and extended his boundless usurpation to the whole government of my dominions, in all the branches of judicature and police; and, in violation of the express articles of the agreements, proceeded to send renters into the countries, unapproved of by me, men of bad character, and unequal to my management or responsibility. Though he is chargeable with the greatest acts of cruelty, even to the shedding of blood, and cutting off the noses and ears of my subjects, by those exercising

his authority in the countries, and that even the duties of religion and publick worship have been interrupted or prevented; and, though he carries on all his business by the arbitrary exertion of military force, yet does he not collect from the countries one-fourth of the revenue that should be produced. The statement he pretends to hold forth of expected revenue, is totally fallacious, and can never be realized under the mnnagement of his lordship, in the appointment of renters, totally disqualified, rapacious, and irresponsible, who are actually embezzling and dissipating the publick revenues that should assist in the support of the war. Totally occupied by his private views, and governed by his passions, he has neglected or sacrificed all the essential objects of publick good, and by want of co-operation with Sir Eyre Coote, and refusal to furnish the army with the necessary supplies, has rendered the glorious and repeated victories of the gallant general ineffectual to the expulsion of our cruel enemy. To cover his insufficiency, and veil the discredit attendant on his failure in every measure, he throws out the most illiberal expressions, and institutes unjust accusations against me; and, in aggravation of all the distresses imposed upon me, he has abetted the meanest calumniators, to bring forward false charges against me, and my son Ameer-ul-Omrah, in order to create embarrassment, and for the dis-

tress

tress of my mind. My papers and writings sent to you, must testify to the whole world the malevolence of his designs, and the means that have been used to forward them. He has violently seized and opened all letters addressed to me and my servants, on my publick and private affairs. My vackeel, that attended him, according to ancient custom, has been ignominiously dismissed from his presence, and not suffered to approach the government-house. He has in the meanest manner, and as he thought in secret, been tampering and intriguing with my family and relations for the worst of purposes. And if I express the agonies of my mind under these most pointed injuries and oppressions, and complain of the violence and injustice of lord Macartney, I am insulted by his affected construction, that my communications are dictated by the insinuations of others. At the same time that his conscious apprehensions for his misconduct, have produced the most abject applications to me, to smother my feelings, and entreaties to write in his lordship's favour to England, and to submit all my affairs to his direction. When his submissions have failed to mould me to his will, he has endeavoured to effect his purposes by menaces of his secret influence with those in power in England, which he pretends to assert, shall be effectual to confirm his usurpation, and to deprive me and my family, in succession,

of

of my rights of sovereignty and government for ever. To such a length have his passions and violences carried him, that all my family, my dependants, and even my friends and visitors, are persecuted with the strongest marks of his displeasure. Every shadow of authority in my person is taken from me, and respect to my name discouraged throughout the whole country. When an officer of high rank in his majesty's service was some time since introduced to me by lord Macartney, his lordship took occasion to shew a personal derision and contempt of me. Mr. Richard Sulivan, who has attended my durbar under the commission of the governour-general and council of Bengal, has experienced his resentment; and Mr. Benfield, *with whom I have no business*, and who, as he has been accustomed to do for many years, has continued to pay me his visits of respect, has felt the weight of his lordship's displeasure, and has had every unmerited insinuation thrown out against him, to prejudice him, and deter him from paying me his compliments as usual.

"Thus, gentlemen, have you delivered me over to a stranger; to a man unacquainted with government and business, and too opinionated to learn; to a man whose ignorance and prejudices operate to the neglect of every good measure, or the liberal co-operation with any that wish well to the publick interests; to a man who, to pursue his own passions,

passions, plans, and designs, will certainly ruin all mine, as well as the company's affairs. His mismanagement and obstinacy have caused the loss of many lacks of my revenues, dissipated and embezzled, and every publick consideration sacrificed, to his vanity and private views. I beg to offer an instance in proof of my assertions, and to justify the hope I have, that you will cause to be made good to me all the losses I have sustained, by the mal-administration and bad practices of your servants, according to all the account of receipts of former years, and which I made known to lord Macartney, amongst other papers of information, in the beginning of his management in the collections. The district of Ongole produced annually, upon a medium of many years, ninety thousand pagodas! but lord Macartney, *upon receiving a sum of money from Ramchunary* *, let it out to him, in April last, for the inadequate rent of 50,000 pagodas *per annum*, diminishing in this district alone, near half the accustomed revenues. After this manner hath he exercised his powers over the countries, to suit his own purposes and designs; and this secret mode has he taken to reduce the collections."

* See Telinga Letter at the end of this correspondence.

1st

1st November, 1782. Copy of a Letter from the Nabob of Arcot to the Court of Directors, &c. Received 7th April, 1783.

"THE distresses which I have set forth in my former letters, are now increased to such an alarming pitch, by the imprudent measures of your governour, and by the arbitrary and impolitick conduct pursued with the merchants and importers of grain, that the very existence of the fort of Madras seems at stake, and that of the inhabitants of the settlement appears to have been totally overlooked; many thousands have died, and continue hourly to perish of famine, though the capacity of one of your youngest servants, with diligence and attention, by doing justice, and giving reasonable encouragement to the merchants, and by drawing the supplies of grain which the northern countries would have afforded, might have secured us against all those dreadful calamities. I had with much difficulty procured and purchased a small quantity of rice, for the use of myself, my family, and attendants, and with a view of sending off the greatest part of the latter to the northern countries, with a little subsistence in their hands. But what must your surprise be, when you learn, that even this rice was seized by lord Macartney, with a military force! and thus am I unable to provide for the few people I have about me, who are driven

driven to such extremity and misery, that it gives me pain to behold them. I have desired permission to get a little rice from the northern countries for the subsistence of my people, without its being liable to seizure by your sepoys: this even has been refused me by lord Macartney. What must your feelings be, on such wanton cruelty, exercised towards me, when you consider that of thousands of villages belonging to me, a single one would have sufficed for my subsistence!"

22d March, 1783. Translation of a Letter from the Nabob of Arcot to the Chairman and Directors of the East India Company.—Received from Mr. James Macpherson, 1st Jan. 1784.

"I AM willing to attribute this continued usurpation to the fear of detection in lord Macartney: he dreads the awful day when the scene of his enormities will be laid open, at my restoration to my country, and when the tongues of my oppressed subjects will be unloosed, and proclaim aloud the cruel tyrannies they have sustained. These sentiments of his lordship's designs are corroborated by his sending, on the 10th instant, two gentlemen to me and my son Ameer-ul-Omrah; and these gentlemen from lord Macartney especially set forth to me, and to my son, that all dependance on the power of the superiour government of Bengal, to enforce the intentions of the company

company to restore my country, was vain and groundless; that the company confided in his lordship's judgment and discretion, and upon his representations, and that if I, and my son, Ameer-ul-Omrah, would enter into friendship with lord Macartney, and sign a paper, declaring all my charges and complaints against him to be false, that his lordship might be induced to write to England, that all his allegations against me and my son were not well-founded; and, notwithstanding his declarations to withhold my country, yet on these considerations, it might be still restored me.

"What must be your feelings for your ancient and faithful friend, on his receiving such insults to his honour and understanding from your principal servant, armed with your authority? From these manœuvres, amongst thousands I have experienced, the truth must evidently appear to you, that I have not been loaded with those injuries and oppressions from motives of publick service, but to answer the private views and interests of his lordship, and his secret agents; *some papers to this point are inclosed;* others, almost without number, must be submitted to your justice, when time and circumstances will enable me fully to investigate those transactions. This opportunity will not permit the full representation of my load of injuries and distresses: I beg leave to refer you to my minister, Mr. Macpherson, for the papers, according to the inclosed list, which accompanied my last dispatches

by

by the Rodney, which I fear have failed; and my correspondence with lord Macartney, subsequent to that period, such as I have been able to prepare for this opportunity, are inclosed.

"Notwithstanding all the violent acts and declarations of lord Macartney, yet a consciousness of his own misconduct was the sole incentive to the menaces and overtures he has held out, in various shapes. He has been insultingly lavish in his expressions of high respect for my person; has had the insolence to say, that all his measures flowed from his affectionate regard alone; has presumed to say, that all his enmity and oppression were levelled at my son, Ameer-ul-Omrah, to whom he before acknowledged every aid and assistance: and, his lordship being without any just cause or foundation for complaint against us, or a veil to cover his own violences, he has now had recourse to the meanness, and has dared to intimate of my son, in order to intimidate me, and to strengthen his own wicked purposes, to be in league with our enemies the French. You must doubtless be astonished, no less at the assurance, than at the absurdity of such a wicked suggestion."

(In the nabob's own hand.)

"P. S. In my own hand-writing I acquainted Mr. Hastings, as I now do my ancient friends the company, with the insult offered to my honour and understanding, in the extraordinary propositions

sent

sent to me by lord Macartney, through two gentlemen, on the 10th instant, so artfully veiled with menaces, hopes, and promises. But how can lord Macartney add to his enormities, after his wicked and calumniating insinuations, so evidently directed against me and my family, through my faithful, my dutiful, and beloved son, Ameer-ul-Omrah, who, you well know, has been ever born and bred amongst the English, whom I have studiously brought up in the warmest sentiments of affection and attachment to them; sentiments, that in his maturity have been his highest ambition to improve, insomuch that he knows no happiness, but in the faithful support of our alliance and connexion with the English nation?"

12th August, and Postscript of the 16th August, 1783. Translation of a Letter to the Chairman and Directors of the East-India Company. Received from Mr. James Macpherson, 14th January, 1784.

"YOUR astonishment and indignation will be equally raised with mine, when you hear that your president *has dared*, contrary to your intention, to continue to usurp the privileges and hereditary powers of the nabob of the Carnatick, your old and unshaken friend, and the declared ally of the king of Great Britain.

"I will not take up your time by enumerating the

the particular acts of lord Macartney's violence, cruelty, and injustice; *they indeed occur too frequently, and fall upon me, and my devoted subjects and country, too thick, to be regularly related.* I refer you to my minister, Mr. James Macpherson, *for a more circumstantial account of the oppressions and enormities by which he has brought both mine* and the company's affairs to the brink of destruction. I trust that such flagrant violations of all justice, honour, and the faith of treaties, will receive the severest marks of your displeasure, and that lord Macartney's conduct, in making use of your name and authority as a sanction for the continuance of his usurpation, will be disclaimed with the utmost indignation, and followed with the severest punishment. I conceive that his lordship's arbitrary retention of my country and government can only originate in his *insatiable cravings,* in his implacable malevolence against me, and through fear of detection, which must follow the surrender of the Carnatick into my hands, of those nefarious proceedings, which are now suppressed by the arm of violence and power.

"I did not fail to represent to the supreme government of Bengal the deplorable situation to which I was reduced, and the unmerited persecutions I have unremittingly sustained from lord Macartney; and I earnestly implored them to stretch forth a saving arm, and interpose that controlling

ling power which was vested in them, to check *rapacity and presumption*, and preserve the honour and faith of the company from violation. The governour-general and council not only felt the cruelty and injustice I had suffered, but were greatly alarmed for the fatal consequences that might result from the distrust of the country powers in the professions of the English, when they saw the nabob of the Carnatick, the friend of the company, and the ally of Great Britain, thus stripped of his rights, his dominions, and his dignity, by the most fraudulent means, and under the mask of friendship. The Bengal government had already heard both the Mahrattas and the Nizam urge as an objection to an alliance with the English, the faithless behaviour of lord Macartney to a prince whose life has been devoted, and whose treasures had been exhausted, in their service and support; and they did not hesitate to give positive orders to lord Macartney for the restitution of my government and authority, on such terms as were not only strictly honourable, but equally advantageous to my friends the company; for they justly thought that my honour and dignity, and *sovereign rights*, were the first objects of my wishes and ambition: But how can I paint my astonishment at lord Macartney's presumption, in continuing his usurpation, after their positive and reiterated mandates! and, as if nettled

by

by their interference, which he disdained, in redoubling the fury of his violence, and sacrificing the publick and myself, to his malice and ungovernable passions!

" I am, gentlemen, at a loss to conceive where his usurpation will stop, and have an end. Has he not solemnly declared that the assignment was only made for the support of war? and, if neither your instructions, nor the orders of his superiours at Bengal, were to be considered as effectual, has not the treaty of peace virtually determined the period of his tyrannical administration? But so far from surrendering the Carnatick into my hands, he has, since that event, affixed advertisements to the walls and gates of the Black Town, for letting to the best bidder the various districts, for the term of three years; and has continued the committee of revenue, which you positively ordered to be abolished, to whom he has allowed enormous salaries, from 6000 to 4000 pagodas per annum, which each member has received from the time of his appointment, though his lordship well knows that most of them are by your orders disqualified, by being my principal creditors.

" If those acts of violence and outrage had been productive of publick advantage, I conceive his lordship might have held them forward, in extenuation of his conduct; but whilst he cloaks his justification under the veil of your records, it is impossible

impossible to refute his assertions, or to expose to your their fallacy; and when he is no longer able to support his conduct by argument, he refers to those records, where, I understand, he has exercised all his sophistry and malicious insinuations, to render me and my family obnoxious in the eyes of the company, and the British nation; and when the glorious victories of Sir Eyre Coote have been rendered abortive by a constant deficiency of supplies; and when, since the departure of that excellent general to Bengal, whose loss I must ever regret, a dreadful famine, at the close of last year, occasioned by his lordship's neglect to lay up a sufficient stock of grain at a proper season, and from his prohibitory orders to private merchants; and when no exertion has been made, nor advantage gained over the enemy; when Hyder's death and Tippoo's return to his own dominions operated in no degree for the benefit of our affairs; in short, when all has been a continued series of disappointment and disgrace under lord Macartney's management (and in him alone has the management been vested), I want words to convey those ideas of his insufficiency, ignorance, and obstinacy, which I am convinced you would entertain, had you been spectators of his ruinous and destructive conduct.

"But against me and my son, Ameer-ul-Omrah, has his lordship's vengeance chiefly been exerted; even

even the company's own subordinate zemindars have found better treatment, probably because they were more rich; those of Nizanagoram have been permitted, contrary to your pointed orders, to hold their rich zemindaries at the old disproportionate rate of little more than a sixth part of the real revenue; and my zemindar of Tanjore, though he should have regarded himself equally concerned with us in the event of the war, and from whose fertile country many valuable harvests have been gathered in, which have sold at a vast price, has, I understand, only contributed last year, towards the publick exigencies, the very inconsiderable sum of one lack of pagodas, and a few thousand pagodas-worth of grain.

"I am much concerned to acquaint you, that ever since the peace a dreadful famine has swept away many thousands of the followers, and sepoys families of the army, from lord Macartney's neglect to send down grain to the camp, though the roads are crowded with vessels: but his lordship has been too intent upon his own disgraceful schemes, to attend to the wants of the army. The negotiation with Tippoo, which he has set on foot through the mediation of Monsieur Bussy, has employed all his thoughts, and to the attainment of that object he will sacrifice the dearest interests of the company to gratify his malevolence against me, and for his own private advantages. The en-

deavour to treat with Tippoo, through the means of the French, must strike you, gentlemen, as highly improper and impolitick; but it must raise your utmost indignation to hear, that by intercepted letters from Bussy to Tippoo, as well as from their respective vakeels, and from various accounts from Cuddalore, we have every reason to conclude that his lordship's secretary, Mr. Staunton, when at Cuddalore, as his agent to settle the cessation of arms with the French, was informed of all their operations and projects, and *consequently that lord Macartney has secretly connived at Monsieur Bussy's recommendation to Tippoo to return into the Carnatick, as the means of procuring the most advantageous terms, and furnishing lord Macartney with the plea of necessity for concluding a peace after his own manner:* and what further confirms the truth of this fact is, that repeated reports, as well as the alarms of the inhabitants to the westward, leave us no reason to doubt that Tippoo is approaching towards us. His lordship has issued publick orders, that the garrison store of rice, for which we are indebted to the exertions of the Bengal government, should be immediately disposed of, and has strictly forbid all private grain to be sold; by which act he effectually prohibits all private importation of grain, and may eventually cause as horrid a famine as that which we experienced at the close of last year, from

from the same short-sighted policy and destructive prohibitions of lord Macartney.

"But as he has the fabrication of the records in his own hands, he trusts to those partial representations of his character and conduct, because the signatures of those members of government whom he seldom consults, are affixed, as a publick sanction; but you may form a just idea of their correctness and propriety, when you are informed, that his lordship, *upon my noticing the heavy disbursements made for secret service money, ordered the sums to be struck off, and the accounts to be erased from the cash-book of the company;* and I think I cannot give you a better proof of his management of my country and revenues, than by calling your attention to his conduct in the Ongole province, and by referring you to his lordship's administration of your own jaghire, from whence he has brought to the publick account the sum of twelve hundred pagodas for the last year's revenue, yet blazons forth his vast merits and exertions, and expects to receive the thanks of his committee and council.—I will beg leave to refer you to my minister, James Macpherson, esq. for a more particular account of my sufferings and miseries, to whom I have transmitted copies of all papers that passed with his lordship.

"I cannot conclude without calling your attention to the *situation of my different creditors,* whose claims are the claims of justice, and whose

demands I am bound by honour, and every moral obligation, to discharge; it is not therefore without great concern I have heard insinuations tending to question the legality of their right to the payment of those just debts; they proceeded from advances made by them openly and honourably for the support of my own and the publick affairs. But I hope the tongue of calumny will never drown the voice of truth and justice; and while that is heard, the wisdom of the English nation cannot fail to accede to an effectual remedy for their distresses, by any arrangement in which their claims may be duly considered, and equitably provided for; and for this purpose my minister, *Mr. Macpherson, will readily subscribe, in my name, to any agreement you may think proper to adopt, founded on the same principles* with either of the engagements I entered into with the supreme government of Bengal, for our mutual interest and advantage.—I always pray for your happiness and prosperity."

6th September, and Postscript of 7th September, 1783. Translation of a Letter from the Nabob of Arcot to the Chairman and Directors of the East-India Company.—Received from Mr. James Macpherson, 14th January, 1784.

"I REFER you, gentlemen, to my inclosed duplicate, as well as to my minister, Mr. Macpherson,

son, for the particulars of my sufferings. There is no word or action of mine that is not perverted; and though it was my intention to have sent my son, Ameer-ul-Omrah, who is well versed in my affairs, to Bengal, to impress those gentlemen with a full sense of my situation, yet I find myself obliged to lay it aside, from the insinuations of the calumniating tongue of lord Macartney, that takes every licence to traduce every action of my life, and that of my son. I am informed that lord Macartney, at this late moment, intends to write a letter; I am ignorant of the subject; but fully perceive, that by delaying to send it till the very eve of the dispatch, he means to deprive me of all possibility of communicating my reply, and forwarding it for the information of my friends in England. Conscious of the weak ground on which he stands, he is obliged to have recourse to these artifices to mislead the judgment, and support for a time his unjustifiable measures by deceit and imposition. I wish only to meet and combat his charges and allegations fairly and openly; and I have repeatedly and urgently demanded to be furnished with copies of those parts of his *fabricated* records relative to myself; but as he well knows I should refute his sophistry, I cannot be surprised at his refusal, though I lament that it prevents you, gentlemen, from a clear investigation of his conduct towards me.

"Inclosed

"Inclosed you have a translation of an arzee from the killidar of Vellore: *I have thousands of the same kind;* but this just now received will serve to give you some idea of the miseries brought upon this my devoted country, and the wretched inhabitants that remain in it, by the oppressive hand of lord Macartney's management; nor will the *embezzlements of collections* thus obtained, when brought before you in *proof*, appear less extraordinary, which *shall certainly be done in due time.*"

Translation of an Arzee, in the Persian Language, from Uzzeem ul Doen Cawn, the Killidar of Vellore, to the Nabob, dated 1st September, 1783. Inclosed in the Nabob's Letter to the Court of Directors, September, 1783.

"I HAVE repeatedly represented to your highness the violences and oppressions exercised by the present amildar [collector of revenue] of lord Macartney's appointment, over the few remaining inhabitants of the district of Vellore, Ambore, Saulguda, &c.

"The outrages and violences now committed, are of that astonishing nature as were never known or heard of during the administration of the circar. Hyder Naik, the cruellest of tyrants, used every kind of oppression in the circar countries;

tries; but even his measures were not like those now pursued. Such of the inhabitants as had escaped the sword and pillage of Hyder Naik, by taking refuge in the woods, and within the walls of Velore, &c. on the arrival of Lord Macartney's amildar to Velore, and in consequence of his cowle of protection and support, most cheerfully returned to the villages, set about the cultivation of the lands, and with great pains rebuilt their cottages. —But now the amildar has imprisoned the wives and children of the inhabitants, seized the few jewels that were on the bodies of the women, and then, before the faces of their husbands, flogged them, in order to make them produce other jewels and effects, which he said they had buried somewhere under ground, and to make the inhabitants bring him money, notwithstanding there was yet no cultivation in the country. Terrified with the flagellations, some of them produced their jewels, and wearing apparel of their women, to the amount of ten or fifteen pagodas, which they had hidden; others, who declared they had none, the amildar flogged their women severely, tied cords around their breasts, and tore the sucking children from their teats, and exposed them to the scorching heat of the sun. Those children died, as did the wife of *Ramsoamy*, an inhabitant of Bringpoor. Even this could not stir up compassion in the breast of the amildar. Some of the children

children that were somewhat large, he exposed to sale. In short, the violences of the amildar are so astonishing, that the people, on seeing their present situation, remember the loss of Hyder with regret. With whomsoever the amildar finds a single measure of *natchinee*, or *rice*, he takes it away from him, and appropriates it to the expences of the *Sibindy* that he keeps up. No revenues are collected from the countries, but from the effects of the poor wretched inhabitants. Those *ryots* [yeomen] who intended to return to their habitations, hearing of those violences, have fled for refuge, with their wives and children, into Hyder's country. Every day is ushered in and closed with these violences and disturbances. I have no power to do any thing; and who will hear what I have to say? My business is to inform your highness, who are my master. The people bring their complaints to me, and I tell them I will write to your highness *."

Translation

* [The above-recited practices, or practices similar to them, have prevailed in almost every part of the miserable countries on the coast of Coromandel, for near twenty years past. That they prevailed as strongly and generally as they could prevail, under the administration of the nabob, there can be no question, notwithstanding the assertion in the beginning of the above petition, nor will it ever be otherwise, whilst affairs are conducted upon the principles which influence the present system. Whether the particulars here asserted are true or false, neither the court of directors nor their ministry have thought proper to enquire. If they are true, in order to

Translation of a [illegible] Yours Peer-mul. Hand Dubash to [illegible] Mackenzie, in his own handwriting, to Rajah Ramchunder, the renter of Ongole; dated [illegible] of the Hindoo month Maasay, in the year Nandanaal, corresponding to 5th March, 1784.

I PRESENT my respects to you, and am very well here, wishing to hear frequently of your welfare.

Your peasher Vancatroyloo has brought the Visseel Bakees, and delivered them to me, as also *what you sent him for me to deliver to my master,*

bring them to affect lord Macartney, it ought to be proved that the complaint was made to him; *and that he had refused redress.* Instead of this fair course, the complaint is carried to the court of directors. The above is one of the documents transmitted by the nabob, in proof of his charge of corruption against lord Macartney. If genuine, it is conclusive, at least against lord Macartney's principal agent and manager. If it be a forgery (as in all likelihood it is) it is conclusive against the nabob and his evil counsellors, and fully demonstrates, if any thing further were necessary to demonstrate, the necessity of the clause in his treaty, prohibiting the residence of the native princes in the company's power, at settlements; which cause, for various reasons, not admitted into Mr. Pitt's. It [illegible] of a secret and [illegible] English, [illegible] are [illegible]

which

which I have done. My master at first refused to take it, because he is unacquainted with your disposition, or what kind of a person you are. But after I made encomiums on your goodness and greatness of mind, and took my oath to the same, and that *it would not become publick*, but be held as precious as our lives, *my master accepted it.* You may remain satisfied, that I will get the Ongole business settled in your name; I will cause the jamaubundee to be settled agreeable to your desire. It was formerly the nabob's intention to give this business to you, as the governour knows full well, but did not at that time agree to it, which you must be well acquainted with.

Your peasher Vancatroyloo is a very careful good man—he is well experienced in business—*he has bound me by an oath to keep all this business secret, and that his own, yours, and my lives are responsible for it.* I write this letter to you with the greatest reluctance, and I signified the same to your peasher, and declared that I would not write to you by any means; to this the peasher urged, that *if I did not write to his master, how could he know to whom he (the peasher) delivered the money*, and what must his master think of it? therefore I write you this letter, and send it by my servant Ramanah, accompanied by the peasher's servant, and it will come safe to your hands: after perusal you will send it back to me immediately—

until

until I receive it I don't like to eat my victuals, or take any sleep. Your peasher took his oath, and urged me to write this for your satisfaction, and has engaged to me that I shall have this letter returned to me in the space of twelve days.

The present governour is not like the former governours—he is a very great man in Europe—and all the great men of Europe are much obliged to him for his condescension in accepting the government of this place. It is his custom when he makes friendship with any one to continue it always, and if *he is at enmity with any one, he never will desist till he has worked his destruction; he is now exceedingly displeased with the nabob, and you will understand by and by that the nabob's business cannot be carried on;* he (the nabob) will have no power to do any thing in his own affairs; *you have therefore no room to fear him.* You may remain with a contented mind—I desired the governour to write you a letter for your satisfaction; the governour said he would do so when the business was settled. This letter you must peruse as soon as possible, and send it back with all speed by the bearer Ramadoo, accompanied by three or four of your people, to the end that no accident may happen on the road. These people must be ordered to march in the night only, and to arrive here with the greatest dispatch. You sent ten mangoes

mangoes for my master, and two for me, all which I have delivered to my master, thinking that ten was not sufficient to present him with. I write this for your information, and salute you with ten thousand respects.

I, Muttu Kistnah, of Madras Patnam, dubash, declare, That I perfectly understand the Gentoo language; and do most solemnly affirm, that the foregoing is a true translation of the annexed paper writing from the Gentoo language. } (Signed) Muttu Kistnah.

THE END OF THE FOURTH VOLUME.

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